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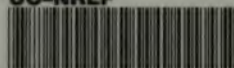
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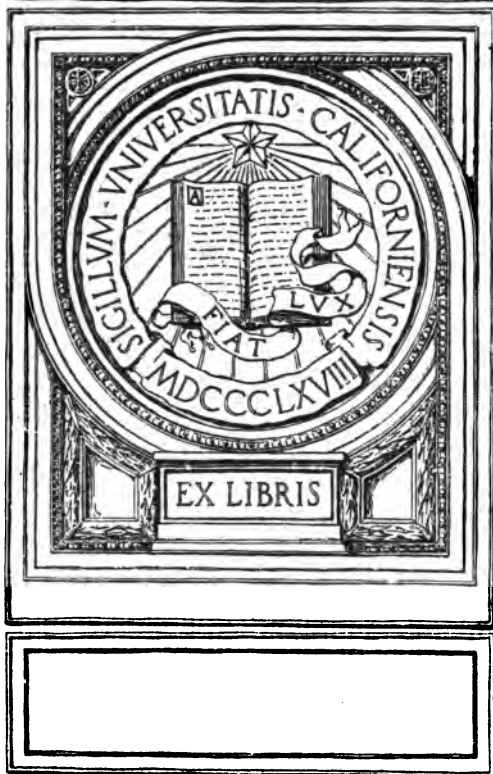
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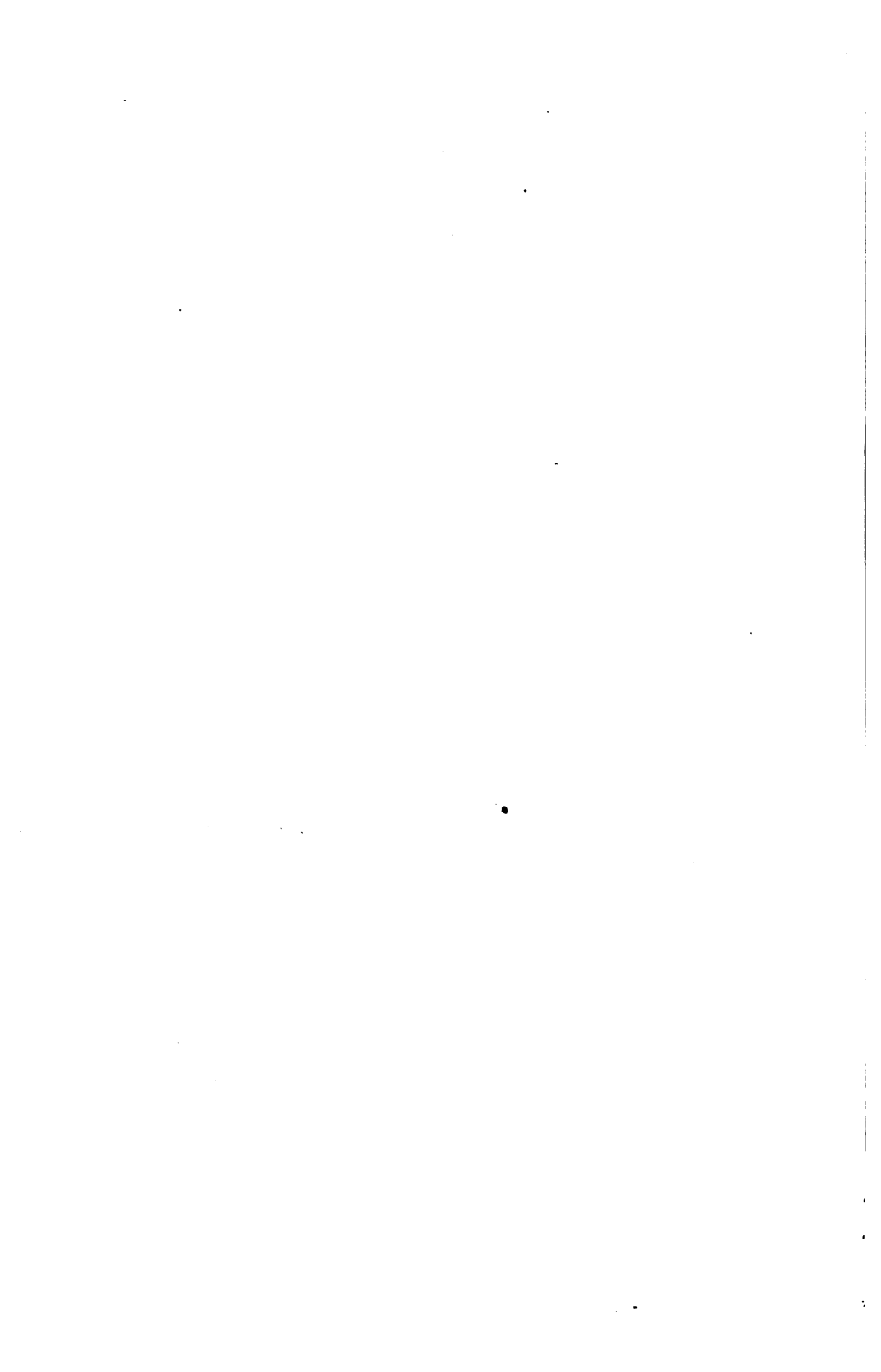
GIFT OF
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1911-12



NEW JERSEY SCHOOL LAWS

AND

Rules and Regulations
Prescribed by the State Board of Education

WITH

Notes, Blanks and Forms

FOR THE

USE AND GOVERNMENT OF SCHOOL OFFICERS.

1911

PREPARED BY THE
COMMISSIONER OF EDUCATION

1000
1000

TRENTON, N. J.
MacCrellish & Quigley, State Printers, Opposite Post Office.

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EXTRACTS

From the State Constitution Respecting Public Schools.

SECTION VII.

6. The fund for the support of free schools, and all money, stock and other property which may hereafter be appropriated for that purpose, or received into the treasury under the provision of any law heretofore passed to augment the said fund, shall be securely invested and remain a perpetual fund; and the income thereof, except so much as it may be judged expedient to apply to an increase of the capital, shall be annually appropriated to the support of public free schools, for the equal benefit of all the people of the state; and it shall not be competent for the legislature to borrow, appropriate or use the said fund, or any part thereof, for any other purpose, under any pretence whatever; the legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all the children in this state between the ages of five and eighteen years.

II. The legislature shall not pass private, local or special laws providing for the management and support of free public schools.



SCHOOL LAW.

AN ACT to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof. Approved October nineteenth, one thousand nine hundred and three.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

ARTICLE I.

STATE BOARD OF EDUCATION.

1. (2.) The general supervision and control of public instruction shall be vested in a State Board of Education, which shall consist of eight members, not more than four of whom shall be members of the same political party, and not more than one of whom shall be residents of any one county. Said members shall be male citizens who have resided within the State for not less than five years immediately preceding the date of their appointment. They shall be appointed by the Governor by and with the advice and consent of the Senate, for the following terms, to commence on the first day of July, nineteen hundred and eleven: one for one year, one for two years, one for three years, one for four years, one for five years, one for six years, one for seven years and one for eight years. Annually thereafter one member shall be appointed by the Governor for a term of eight years. Vacancies shall be filled for the unexpired term. A suitable room in the State House at Trenton shall be provided for the use of the board.

State Board
of Education.
P. L. 1911,
Chap. 231.

Qualifications
for members.

Appointment.

Term.

Vacancy.
Office.

Meetings.

Said board shall meet in the State House in Trenton at such times as their rules may prescribe in each and every month, and at such other times and places within the State as in its judgment may be necessary. Its meetings, as well as those of every board of education in the State, shall be public and shall commence not later than eight P. M.

Control of
certain State
schools.
P. L. 1903.
Special
session.

2. (2.) The State Board of Education shall have the control and management of the State Normal Schools, the New Jersey School for the Deaf, the Farnum Preparatory School, and the Manual Training and Industrial School for Colored Youth.

Powers
enumerated.
Make rules
for carrying
school laws
into effect.
Ibid.

3. (3.) The State Board of Education shall have power:

I. To frame and modify by-laws for its own government; to elect its president and other officers, and to prescribe and enforce rules and regulations necessary to carry into effect the school laws of this State.

Appoint
county super-
intendents.

II. To appoint County Superintendents of Schools, and for cause to remove them.

Rules for
institutes.

III. To prescribe rules and regulations for holding teachers' institutes.

Decide
appeals.

IV. To decide appeals from the decisions of the Commissioner of Education.

Rules for
examinations.

V. To make and enforce rules and regulations for the examination of teachers, and the granting of certificates or licenses to teach.

Inspector of
buildings.
P. L. 1911,
Chap. 231.

VI. Appoint an Inspector of Buildings at a salary not to exceed two thousand dollars per annum, who shall devote his time during the entire twelve months in the year to visiting the schools in the State and to making a thorough report with regard to each.

Inspector of
accounts.

VII. Appoint an Inspector of Accounts at a salary not to exceed two thousand dollars per annum, who shall devote his time during the entire twelve months in the year to the examination of the accounts of the several school districts.

VIII. Prescribe a uniform and simple system of bookkeeping for use in all school districts, and compel all school districts to use the same.

System of bookkeeping.

IX. Appoint, upon application, a Supervising Principal over the schools in two or more districts whenever in its opinion it is advisable so to do, and apportion the expense equitably among the districts.

Appoint supervising principals.

X. Withhold or withdraw its approval of any secondary school whenever in its opinion its academic work, location or enrollment and per capita cost of maintenance shall not warrant its establishment or continuance.

Withhold approval of secondary schools.

XI. Fix rates to be paid by a district for the tuition of children sent from it to the schools of other districts, when the districts cannot agree among themselves as to the proper rate, and require any district having the necessary accommodations to receive pupils from other districts at rates agreed upon or which it may fix in the event of disagreement.

Fix rates of tuition.

XII. Compel the production at such time and place within the State as it may designate of any and all books, papers and vouchers in any way relating to schools or to the receipt or disbursement of school moneys; compel the attendance before it or before any of its committees or before the Commissioner of Education or one of his assistants or before the Inspector of Accounts or the Inspector of Buildings at such time and place as it may designate of any member of a board of education, or of any person in the employ of a board of education, and suspend from office any person refusing to attend or to submit such books, papers and vouchers as he may have been directed to produce.

Compel attendance of witnesses.

Penalty.

XIII. Issue subpoenas signed by its president and secretary compelling the attendance of witnesses and the production of books and papers in any part of the State before it or before any of its committees or before the Commissioner of Education or one of his assistants or before the Inspector of Accounts or the Inspector of Buildings.

Issue subpoenas.

Compensation.
P. L. 1903.
Special
session.

4. (4.) The members of the State Board of Education shall receive no compensation for their services, but the State Treasurer shall, upon the warrant of the State Comptroller, pay their necessary expenses.

Annual
report.
Ibid.

5. (5.) The State Board of Education shall report annually to the Legislature in regard to all matters committed to its care.

ARTICLE II.

COMMISSIONER OF EDUCATION.

Appointment.
P. L. 1911,
Chap. 231.

6. (4.) A Commissioner of Education shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years, commencing July first, one thousand nine hundred and eleven, and until his successor shall be appointed, at an annual salary of ten thousand dollars per annum, payable in equal monthly installments. Such commissioner shall be selected without regard to whether his place of residence is within or without the State of New Jersey.

Term.

Salary.

Powers of.
Ibid.

7. (5.) The Commissioner of Education shall, with the advice and consent of the State Board of Education:

Secretary of
State Board of
Education.

I. Designate one of the clerks in the Department of Public Instruction to act as secretary of the State Board of Education and to perform such services as it may require.

Assistant
commissioners.

II. Appoint four assistant commissioners of education, each at an annual salary of four thousand five hundred dollars, and designate one of them to act in his place during his absence.

Supervisor of
secondary
education.

III. Designate one of such assistants to act as Supervisor of Secondary Education and define his duties. cause him to devote his entire time during school hours to personal inspection and to conduct tests of at least one-half hour each in at least three classes on each visit to a high school or to a high school department.

IV. Designate one of such assistants to act as Supervisor of Elementary Education and define his duties, and cause him to devote his entire time during school hours to personal inspection.

Supervisor
elementary
education.

V. Designate one of such assistants to act as Supervisor of Industrial Education, including agriculture, and define his duties, including agriculture, and to cause him to devote his entire time during school hours to personal inspection.

Supervisor of
industrial
education.

VI. Designate one of such assistants to hear all controversies and disputes which may arise under the school laws or the rules and regulations of the State Board of Education or of the Commissioner of Education, subject, however, to a right of appeal to the State Board of Education.

Designate
assistant
to hear
controversies.

VII. Prescribe minimum examinations throughout the State for graduation from grammar schools and for admission to high schools and high school departments; confine such examinations to arithmetic, writing, spelling, English grammar and composition, history and geography, prepare or cause to be prepared questions for the examinations; prescribe the times and places for holding them and the rules governing them; designate the persons to conduct them, and if admissible, direct superintendents, principals and teachers of one district to conduct them in any other. Such examinations shall be open to all children of the State whether they attend public or private schools.

Prescribe
examinations.

VIII. Prescribe a minimum course of study for the elementary schools and for the high schools or for either, if in his opinion it is advisable so to do.

Prescribe
course for
elementary
schools.

IX. Prescribe such method as to him may seem best for use in ascertaining what children are three years or more below the normal.

X. Hold meetings of city and county superintendents at least once in each year for the discussion of school affairs and ways and means of promoting a thorough and efficient system of education.

Meetings of
county and
city super-
intendents.

Withhold
school
moneys.

XI. Direct the County Collector to withhold funds received by him from the State from any district that refuses or neglects to obey the law or the rules or directions of the State Board of Education or the Commissioner of Education.

Report.

XII. Report to the State Board of Education once a month and at such other times as it may designate such information as it may prescribe.

Trustee of
school fund.
Ibid.

8. (6.) The Commissioner of Education shall be one of the Trustees of the School Fund.

Administer
oaths.
Ibid.

9. (7.) The State Board of Education, by its presiding officer, each of its committees, by their chairmen, the Commissioner of Education and each of his assistants shall have authority to administer oaths and to examine under oath, in any part of the State, witnesses in regard to any matter pertaining to the schools and to cause the examination to be reduced to writing. Any person, who, having been sworn or affirmed by the presiding officer of the State board, or by the chairman of any of its committees, or by the commissioner, or by any one of his assistants to tell the truth, and who willfully gives false testimony shall be guilty of perjury.

Definition of
Commissioner
of Education.
Ibid.

10. (8.) Whenever in the act to which this is a supplement, or in any act amendatory thereof or supplemental thereto, or in any other act of the Legislature the words "State Superintendent of Public Instruction" are used the same shall be taken to be and to mean "Commissioner of Education."

Appeals to
State Board.
Ibid.

11. (9.) All appeals to the State Board of Education shall be taken within thirty days after the Commissioner of Education has filed his decision, and in such manner as the said board may prescribe.

Office.
P. L. 1903,
special
session.

12. (6.) A suitable office, to be known as the Department of Public Instruction, shall be provided for him in the State House at Trenton. The necessary expenses incurred in the Department of Public Instruction shall be paid in the manner provided by law.

13. (8.) The Commissioner of Education may employ such clerks as he may deem necessary and fix their compensation, which compensation shall be payable monthly on the certificate of the Commissioner of Education; *provided*, that the compensation of said clerks shall not exceed in the aggregate the sum annually appropriated therefor by the Legislature.

Clerical assistance.
Ibid.

Proviso.

14. (9.) The Commissioner of Education shall be the Secretary of the State Board of Education, and a member, ex-officio, of all boards of examiners. He shall enforce all rules and regulations prescribed by the State Board of Education. He shall have supervision of all the schools of the state receiving any part of the state appropriation. He shall, from time to time, instruct County and City Superintendents as to their duties and as to the best manner of conducting schools, constructing schoolhouses and furnishing the same.

Secretary of State Board of Education and member of boards of examiners.
Ibid.

Supervision of schools.

15. (10.) The Commissioner of Education shall decide, subject to appeal to the State Board of Education and without cost to the parties, all controversies and disputes that shall arise under the school laws, or under the rules and regulations of the State Board of Education. The facts involved in any controversy or dispute shall, if he shall so require, be made known to him by written statements by the parties thereto, verified by oath or affirmation, and accompanied by certified copies of all documents necessary to a full understanding of the question in dispute, and his decision shall be binding until, upon appeal, a decision thereon shall be given by the State Board of Education. (a)

Decide controversies arising under school laws.
Ibid.

(a) 1. The State Superintendent having been given authority to hear and determine certain matters, his determination thereupon has the conclusive quality of a judgment pronounced in a legally created court of limited jurisdiction acting within the bounds of its authority. *Thompson v. Board of Education*, 28 Vr. 628.

2. There is no distinction in point of conclusiveness between the decisions of special tribunals and the judgments of courts of record. The difference is solely in the presumption of jurisdiction. *Ibid*.

3. The court may, in the exercise of its discretion, refuse to interpose by *mandamus* in a controversy cognizable by the special tribunals created by the school laws of this State, where an appeal to such tribunals has not been

Keep record
of decisions.
Ibid.

Seal.

Appoint
county super-
intendent to
fill vacancy.
Ibid.

Withhold
salary from
county super-
intendent.
Ibid.

State school
moneys with-
held for non-
performance
of duty.
Ibid.

16. (11.) The Commissioner of Education shall keep a record of all his official acts and shall preserve copies of all decisions made by him, and shall adopt and provide an official seal. Copies of all acts, orders and decisions made by him, and of all papers deposited or filed in the Department of Public Instruction may be authenticated under said seal, and, when so authenticated, shall be evidence equally with and in like manner as the originals.

17. (12.) Whenever there shall be a vacancy in the office of County Superintendent of Schools, the Commissioner of Education shall appoint, subject to the approval of the President of the State Board of Education, a suitable person to fill such vacancy, and the person so appointed shall hold office until his successor shall be appointed by the State Board of Education.

18. (13.) In case a County Superintendent of Schools shall neglect or refuse to perform any duty imposed upon him by this act or by the rules and regulations of the State Board of Education, the Commissioner of Education shall, subject to appeal to the State Board of Education, withhold from such County Superintendent of Schools the order for his salary until he shall have fully complied with the provisions of this act and with the rules and regulations of the State Board of Education relating to his duties.

19. (14.) In case a board of education, or any officer thereof, or the legal voters of any school district, or any board or officer of the municipality in which any such school district shall be situate shall neglect or refuse to

made. *Jefferson v. Board of Education*, 35 Vr. 59. See *Buren v. Albertson*, 25 Vr. 72; *Stockton v. Board of Education*, 43 Vr. 80.

4. Special tribunals created by the statute have exclusive jurisdiction over all controversies arising under such statute, and an action at law cannot be maintained by a public school teacher for the purpose of contesting the legality of the action of a local school board in dismissing him before the term of service provided in his contract of employment has expired. *Draper v. Commissioners of Public Instruction*, 37 Vr. 54. The State Superintendent of Public Instruction is authorized by law to decide disputes and controversies as to the election of members of the Board of Education of certain municipalities. *Du Four v. State Superintendent*, 43 Vr. 371. *Certiorari* is not the appropriate proceeding to determine the title to an office. *Ibid.* See foot-notes to sections 82, 118 and 140.

perform any duty imposed upon such board, officer or legal voters by this act or by the rules and regulations of the State Board of Education, the custodian of the school moneys of such school district shall, upon notice from the County Superintendent of Schools, approved by the Commissioner of Education, withhold all moneys received by him from the County Collector and then remaining in his hands to the credit of such district, until he shall receive notice from said County Superintendent of Schools that said board, officer or legal voters have fully complied with the provisions of this act and with the rules and regulations of the State Board of Education.

20. (15.) In case a teacher shall neglect or refuse to perform any duty imposed upon him or her by this act or by the rules and regulations of the State Board of Education, the Commissioner of Education shall direct the custodian of the school moneys of the school district in which such teacher shall be employed, to withhold from such teacher all salary due to him or her until he receives notice from said Commissioner of Education that such teacher has fully complied with the provisions of this act and the rules and regulations of the State Board of Education relating to his or her duties.

Withhold
salary from
teacher.
Ibid.

21. (16.) The Commissioner of Education shall equitably apportion to the several counties the amount appropriated for the support of public schools from the State School Fund on the basis of the aggregate number of days attendance of all pupils attending the public schools during the year preceding that for which said apportionment shall be made, and shall furnish to the State Comptroller and to the several County Superintendents of Schools and County Collectors an abstract of such apportionment, and of the apportionment of the moneys due to the several counties from the State school tax and from the reserve fund, and shall draw his orders on the State Comptroller and in favor of the

Apportion-
ment of
school
moneys.
Ibid.

County Collector of each county for the amount to which such county shall be entitled.

Reports of
private
schools.
Ibid.

22. (17.) The superintendent or manager of each educational institution receiving support or aid from the State, and the president, manager or principal of each seminary, academy or private school shall report to the Commissioner of Education annually, on or before the first day of August, such statistics relating to such institution, seminary, academy or school as said Commissioner of Education may require, and in the manner and form prescribed by him; *provided*, that no report concerning the expenses or finances of such seminary, academy or private school shall be required; *and provided further*, that no report of any seminary, academy or private school shall be published or made public by the Commissioner of Education.

Proviso.

Proviso.

Furnish
blanks to
school
officers.
Ibid.

23. (18.) The Commissioner of Education shall prepare and cause to be printed forms for making all reports and conducting all proceedings under the school laws of this State. He shall cause all school laws to be printed in pamphlet form, and shall annex thereto forms for making reports and conducting school business, and shall distribute the same.

Annual
report.
Ibid.

24. (19.) The Commissioner of Education shall present to the State Board of Education annually, at its meeting in December, a report of the condition of the public schools and of all the educational institutions receiving support or aid from the State. Such report shall contain full statistical tables of all items connected with the cause of education that may be of interest to school officers or the people of the State, together with such suggestions and recommendations for the improvement of the schools and the advancement of public instruction as he shall deem expedient.

Oaths and
affidavits.
Ibid.

25. (20.) The Commissioner of Education and the assistant Commissioners (a) shall, without charge, administer oaths and take affidavits concerning any matter relating to the schools.

(a) See section 9.

26. (21.) The Commissioner of Education shall, at the expiration of his term of office, deliver to his successor his official seal, together with all the property, books, documents, maps, records, reports and other papers belonging to his office.

Deliver seal, records, etc., to successor. Ibid.

ARTICLE III.

COUNTY SUPERINTENDENTS.

27. (22.) The State Board of Education shall appoint for each county a suitable person to be the County Superintendent of Schools of that county, who shall hold office for the term of three years from the date of his appointment and until his successor shall have been appointed as aforesaid, unless sooner removed for cause by said board. No person shall be appointed as County Superintendent of Schools unless he shall hold a State teacher's certificate.

Appointment of county superintendent. Ibid. Term of office.

28. (23.) The yearly salary of a County Superintendent of Schools shall be two thousand dollars. Such salary shall be paid in equal monthly installments, and the State Comptroller shall, on the order of the Commissioner of Education, draw his warrant for such salary on the State Treasurer in favor of such County Superintendent of Schools.

Shall hold State certificate.

Salary. P. L. 1905, Chap. 269. How paid.

29. (24.) A County Superintendent of Schools shall receive, in addition to his salary, the actual expenses incurred by him in the performance of his official duties, which expenses shall be paid by the collector of the county on the order of the Commissioner of Education; *provided*, that no such order shall be drawn in favor of any County Superintendent of Schools until he shall have furnished to the State Board of Education an itemized statement, certified under oath or affirmation, of the expenses he has incurred, nor unless he shall have, during the period in which such expenses have been

Expenses paid. Special session, 1903.

Proviso.

Proviso.

incurred, faithfully performed all the duties imposed upon him by this act and by the rules and regulations of the State Board of Education; *and provided further*, that in no case shall the expenses aforesaid exceed three hundred and fifty dollars annually. Payment of such expenses shall be made quarter-yearly.

Powers of county superintendent. Ibid. Take affidavits.

30. (25.) A County Superintendent of Schools shall have power:

I. To administer, without charge, oaths or affirmations to teachers and school officers.

Issue orders for school moneys.

II. To issue orders on the County Collector in favor of the custodian of the school moneys of the several school districts in said county for that portion of the State school tax, the State appropriation, and the interest of the surplus revenue to which each of said school districts shall be entitled.

Supervise schools.

III. To exercise general supervision over the public schools of the county under his charge in accordance with the rules and regulations prescribed from time to time by the State Board of Education; to visit and examine all the schools under his care; to inquire into the management, methods of instruction and discipline in such schools; to note the condition of the school-houses, sites, buildings and appurtenances; to examine the courses of study, text-books and school libraries; to advise with and counsel boards of education in relation to their duties, particularly in respect to the construction, heating, ventilating and lighting of schoolhouses, and to recommend to boards of education and teachers proper studies, methods, discipline and management for the schools.

Appoint members of board of education in certain cases.

IV. To appoint members of the board of education for a new township, incorporated town or borough school district and for any school district under his supervision which shall fail to elect members at the regular time. Such appointees shall serve only until the next election in the district for members of the board of education.

31. (26.) Each County Superintendent of Schools shall render annually, on or before the first of September, to the Commissioner of Education, in the manner and form prescribed by him, a report of such matters relating to the schools under his supervision as shall be required by said Commissioner of Education.

Annual
report.
Ibid.

32. (27.) The superintendents, district clerks and the custodians of school moneys of the several school districts shall annually, on or before the first day of August, report to the County Superintendent of Schools, in the manner and form prescribed by the Commissioner of Education.

Reports of
local officers.
Ibid.

33. (28.) Whenever a superintendent of schools shall be appointed in any city school district, the supervision of the schools of such district shall devolve upon such superintendent and not upon the County Superintendent of Schools.

Supervision
of city
schools.
Ibid.

34. (1.) The Board of Chosen Freeholders of each county of this State shall provide an office of suitably furnished rooms at the county seat for the use of the County Superintendent of Schools, in which office shall be kept the school records of the county for the use of the county and State Departments of Public Instruction, the United States Bureau of Education and the United States Commissioner of Education, said office to be kept open to the public the same as other county offices.

Office for
county super-
intendent.
P. L. 1911,
Chap. 232.

35. (2.) A sum not exceeding six hundred dollars shall be appropriated annually by said Board of Chosen Freeholders and paid quarter-yearly to the County Superintendent of Schools toward the expenses incurred for a clerical assistant in said office. The clerical assistant shall be selected and appointed by the County Superintendent.

Clerk for
county super-
intendent.
Ibid.

ARTICLE IV.

BOARD OF EXAMINERS.

State examiners.
P. L. 1903.
special session.

36. (29.) There shall be a State Board of Examiners, consisting of the Commissioner of Education, the Principals of the State Normal Schools and one person to be appointed by the State Board of Education. Said last-named person shall hold office for one year from date of his appointment as aforesaid. The member of said State Board of Examiners appointed by the State Board of Education shall hold a first-grade State certificate, or shall be a graduate of a college or university. He shall receive for his services, in addition to traveling expenses, such compensation as may be fixed by the State Board of Education, not to exceed ten dollars for each meeting of said Board of Examiners. Said board shall hold examinations of teachers, grant State certificates to teach and revoke the same under rules and regulations prescribed by the State Board of Education.

County examiners.
P. L. 1906,
p. 681.

37. (30.) There may be in each county a County Board of Examiners consisting of the County Superintendent of Schools, who shall be its chairman, and a number of teachers not to exceed three, to be appointed by him, who shall hold office for one year from the date of their respective appointments. No person shall be appointed as a county examiner unless he or she shall hold either a state or a first-grade county certificate. The County Superintendent of Schools shall fill vacancies that shall occur from absence or other cause. Said County Board of Examiners shall conduct examinations and grant certificates to teach at such times and under such rules and regulations as the State Board of Education may prescribe. It shall meet at such places as may be designated by the chairman. Each member of said board of examiners, except the County Superintendent of Schools, shall receive for his or her services, in addition

Qualifications.

Vacancies.
Duties.

Compensation.

to traveling expenses, such compensation as may be fixed by the State Board of Education, not to exceed twenty-five dollars for each regular examination, which compensation shall be paid by the County Collector on the order of the County Superintendent of Schools; *provided*, that whenever said board shall hold a special examination no compensation therefor shall be paid by the County Collector, but in such case said board may charge each applicant for examination a fee not to exceed two dollars as compensation for services for such examination.

38. (31.) If any school district shall maintain a Normal School or a training school for teachers, which school shall have been approved as to its course of study by the State Board of Education, then the diplomas or certificates issued to pupils of any such school upon graduation therefrom may be accepted by the State Board of Examiners as certificates to teach valid for the schools of such school district.

District normal school diplomas.
P. L. 1911,
Chap. 282.

ARTICLE V.

SCHOOL DISTRICTS.

39. (32.) Each township, city, incorporated town and borough shall be a separate school district, but each incorporated village shall remain and be a part of the school district in which said incorporated village shall be situate at the time of its incorporation. (a)

School districts, how constituted.
P. L. 1903,
special session.

40. (33.) Whenever a new school district shall be created, the children residing in said new district shall continue to attend the schools in which they shall be enrolled until the end of the then current school year. In case there shall be a schoolhouse in such new district in which school shall be then maintained the board of education of the school district from which such new district

New districts.
Ibid.

(a) See foot-note to section 114.

Custodian
to certify
balance of
money.

Division of
balance.

Titles to
school
property.
Ibid.

Obligations
assumed by
new district.

shall have been set off shall have charge and control of such school until the end of the then current school year, and shall pay the salaries of the teachers, janitors and other persons employed in such school until the end of said year. In case there shall be any balance at the end of said school year in the hands of the custodian of the school moneys of the school district to the credit of the school district from which said new district shall have been set off, said custodian shall certify to the County Superintendent of Schools the amount of such balance, and what portion of such balance was received from state appropriation, state school tax and interest of the surplus revenue, and what portion was received from district school tax. Said County Superintendent of Schools, upon receipt of such notice, shall divide between said districts that portion of the balance arising from the state appropriation, state school tax and interest of the surplus revenue on the basis of the aggregate number of days attendance of pupils in the public schools as ascertained from the last published report of the Commissioner of Education, and shall divide between said districts that portion of said balance arising from district school tax on the basis of the respective ratables of said districts, and shall issue an order in favor of the custodian of the school moneys of such new district for that portion of said balance found to be due said district from the district from which it shall have been set off.

41. (34.) In any new school district the board of education, in its corporate capacity, shall become vested with the title to all school property, real and personal, in such district, and if, for the erection, repair or purchase of any such property, there shall be an indebtedness for which the board of education of the school district to which said property originally belonged shall be liable, the said indebtedness shall be assumed by and become the obligation of the board of education of the school district which shall have become vested with the title

to such property, and upon payment of said indebtedness by the school district originally liable therefor, an action may be maintained therefor by the board of education so paying the said indebtedness against the board of education of the school district which shall have become vested with the property for which the said indebtedness was originally incurred. (a)

42. (35.) In case any municipality or any part thereof shall have been annexed to another municipality and there shall be within the limits of such municipality, or such part thereof as shall have been annexed to another municipality as aforesaid, any schoolhouse or property formerly belonging to the board of education of the school district situate in such municipality, and for the erection, purchase, furnishing or repair of which there shall be an indebtedness for which the board of education of such school district shall be liable, the said indebtedness shall be assumed by and become the obligation of the board of education of the school district situate in the municipality to which such municipality shall have been annexed.

Assumption
of indebted-
ness.
Ibid.

43. (36.) Whenever the board of education of a school district situate in any municipality shall pay any portion of an indebtedness existing at the time of the formation of a new municipality, or at the time of the annexation of such municipality, or part thereof, to another municipality as aforesaid, which indebtedness shall have been assumed by and shall have become the obligation of the board of education of the school district situate in such new municipality, said last-mentioned board shall repay

Repayment.
Ibid.

(a) When a new borough is formed and set off from a township and becomes a separate school district, and there is within the limits of the borough a school-house belonging to the board of education of the township, and for the erection of which there is an indebtedness for which said board is liable, the said board is not thereby discharged from its legal liability to pay such indebtedness, but on being compelled by suit and judgment at law to pay the same is entitled to collect the sum so paid from the board of education of the borough. *McCully v. Board of Education*, 34 Vr. 18; *Woolley v. Hendrickson*, 44 Vr. 14.

to the board of education of said first-mentioned school district the amount of said payment, with interest.

Length of
school term.
Ibid.

Proviso.

Proviso.

44. (37.) The State appropriation and the State school tax shall not be apportioned in any year to any district which shall not have maintained a public school for at least nine months during the preceding school year; *provided*, that the Commissioner of Education may, for good cause shown, remit said penalty; *and provided further*, that said appropriation and said State school tax shall be apportioned to a new district, or to a district in which the school shall have been discontinued on account of the repairing of an old or the erection of a new school building.

ARTICLE VI.

CITY SCHOOL DISTRICTS.

City school
boards.
P. L. 1911,
Chap. 233.

Terms.

Vacancies.

45. (38.) In each city, other than those cities where boards of education now consist of less than nine members each, the mayor or other chief executive officer of said city shall, during the month of January next after the passage of this act, appoint nine persons to be members of the Board of Education of such school district, who shall severally possess the qualifications for membership described in this article. In making the first appointment the mayor, or the chief executive officer, shall appoint three of such persons to serve for one year, three for two years and three for three years, and annually thereafter, during the month of January, the said mayor or other chief executive officer of such city shall appoint members of the said Board of Education to serve for the term of three years to take the place of those members whose terms shall expire with such year. Any vacancy in such Board of Education shall be forthwith reported by the secretary of said board to the mayor or other chief executive officer, who shall, within thirty days thereafter, appoint a person to fill such vacancy for the unexpired term. To every such

appointee as aforesaid, said mayor or other chief executive officer shall issue and deliver a certificate of appointment. The term of office of a member of the Board of Education, except a member appointed to fill an unexpired term, shall begin on the first day of February next succeeding his appointment. In any township, school district, incorporated under the provisions of article six, for the purposes named in this section, the chairman of the township committee shall be deemed and taken to be the chief executive officer. (a)

Certificate of appointment.

Term begins February 1st.
Executive officer in townships.

46. (2.) The terms of office of all members of boards of education in school districts of cities which are affected by this act, and in districts which adopted article six of the act to which this is an amendment, shall expire on the thirty-first day of January next after the passage of this act.

Terms end January 31st.
Ibid.

47. (41.) A member of a board of education in a city school district shall be a citizen and resident of the territory contained in said school district, and shall have been such citizen and resident for at least three years immediately preceding his or her becoming a member of such board, and shall be able to read and write. He shall not be interested, directly or indirectly, in any contract with or claim against said board.

Member's qualifications
P. L. 1903,
special session.

48. (42.) A member of such board of education shall, before entering upon the duties of his office, take and subscribe an oath before any officer authorized by law to administer oaths, that he possesses the qualifications to be a member of said board prescribed therefor by this article, and that he will faithfully discharge the duties of his said office. Said oath shall be filed with the city clerk of the city. (b)

Oath.
Ibid.

49. (43.) A member of such board of education who shall fail to attend three consecutive regular meetings of said board without good cause may be removed by said board. The vacancy thus created shall be filled in

Removal for non-attendance
Ibid.

(a) See section 281.

(b) See foot-note to section 94.

the same manner as other vacancies in the board of education shall be filled.

No compensation.
Ibid.

50. (44.) A member of such board of education shall receive no compensation for his services.

Body corporate; seal.
Ibid.

51. (45.) A board of education in a city school district shall be a body corporate, and shall be known as and called "the Board of Education of _____ in the county of _____," and shall adopt an official seal.

Organization of board of education.
Ibid.

52. (46.) On the day the term of office of the members first appointed or elected as provided in section thirty-eight shall begin, and annually at the first regular meeting of the board of education on or after the first day of January, said board shall organize by electing one of its members as president and another as vice-president, which officers shall serve for one year and until their respective successors shall be elected.

May sue, purchase, etc.
Ibid.

53. (47.) Such board shall, in and by its corporate name, sue and be sued, purchase, lease, receive, hold and sell property, real and personal, take and condemn land and other property for school purposes in the manner provided by law regulating the ascertainment and payment of compensation for property condemned or taken for public use. If either party shall feel aggrieved by any proceedings and award thereunder, said party may appeal in the manner provided by law for appeals from such proceedings and award. It shall do all acts and things necessary for the lawful and proper conduct and maintenance of the public schools of its school district.

School property vested in board of education.
Ibid.

54. (48.) Such boards shall succeed to and be vested with all the property of every kind, and all the rights and privileges, not inconsistent with the provisions of this act, theretofore vested in or possessed by any board of education, school commissioners, or other body theretofore having charge and control of the public schools or public school property of the school district or of the city in which said district shall be situate.

Title to school property in board of education.
Ibid.

55. (49.) The title to school property, real and personal, previously acquired by said school district, or by

any antecedent board of education, school commissioners, or by any other body for school purposes in said school district, or in the city in which the said district shall be situate, or by any body in such city, and the title to all lands, buildings and other property to be hereafter acquired for school purposes in said school district shall vest in the board of education in said district incorporated under the provisions of this article.

56. (50.) Every such board shall have the supervision, control and management of the public schools and public school property in its district, and shall keep such property insured. It shall appoint a person to be its secretary, and may appoint a superintendent of schools, a business manager and other officers, agents and employes as may be needed, and may fix their compensation and terms of employment, (a) but no such appointee, officer, agent or employe, other than the secretary, shall be a member of said board.

Management
of schools.
Ibid.

Appoint su-
perintendent,
secretary, etc.

57. (51.) Such board shall make, amend and repeal rules, regulations and by-laws not inconsistent with this act or with the rules and regulations of the State Board of Education, for its own government, for the transaction of business, and for the government and management of the public schools and the public school property in said district, and also for the employment and discharge of principals and teachers. (b)

Make rules
and regula-
tions.
Ibid.

58. (52.) Such board of education shall, prior to the beginning of each school year, cause advertisement to be made under such regulations as it may provide, for proposals for furnishing supplies required in the schools and by said board during the ensuing year. If other and further supplies shall be required during the year, they shall be purchased in like manner. No contract shall be entered into for the building of a new school-house or for the enlarging or repairing of a school-

Proposals for
supplies.
Ibid.

(a) See sections 253, 286, 287, 288 and 289.

(b) See section 7, div. VII, 116, 126 and 140.

house already erected, except after advertisement made under such regulations as said board may prescribe; *provided*, that the board may at any time order repairs to school buildings to an amount not exceeding five hundred dollars, and may authorize the purchase of supplies to an amount not exceeding two hundred and fifty dollars without advertisement. Text-books and kindergarten supplies may be purchased without advertisement. (a)

Proviso.

Exceptions.

Bids and contracts.
Ibid.

59. (53.) No bid for building or repairing school-houses or for supplies shall be accepted which does not conform to the specifications furnished therefor, and all contracts shall be awarded to the lowest responsible bidder. (b)

Annual report.
Ibid.

60. (54.) Such board of education shall, as soon as practicable after the close of each school year, cause to be printed and published a report of the condition of the public schools under its charge, of all the property under its control, and an itemized account of the expenditures of the board and of the finances of the district.

May borrow money on notes.
Ibid.

61. (55.) Such board may, after the first day of July and before the first day of January, borrow a sum not exceeding one-half of the amount appropriated for the current expenses of the schools and for the repair of schoolhouses under its control, and execute and deliver

(a) The Board of education, in seeking proposals for a contract, may lawfully delegate to a committee of its body the duty of preparing and submitting the specifications for such purpose and of conducting negotiations for the contract; *provided*, the proposals and the result of the negotiations are first reported to and considered by the board before final action in awarding the contract. *Kraft v. Board of Education*, 38 *Vr.* 512. See foot-notes to sections 78 and 95, division IV.

(b) 1. The provisions of this section compel the board of education to award the contract to the lowest responsible bidder. The board cannot determine against the responsibility of a bidder without giving him notice and an opportunity to be heard. *Jacobson v. Board of Education of Elisabeth*, 64 *Atl. Rep.* 609.

2. After receiving bids it is not within the power of a board of education to modify the specifications by omissions and changes and award a contract to a former bidder, although the lowest, to execute the work according to the revised specifications, although at a price less than the original bid. *Scola v. Board of Education of Montclair*, 48 *Vr.* 73.

3. See sections 128 and 129; also *Schwitzer v. Board of Education*, 50 *Vr.* 342.

promissory notes therefor, and pay the amount so borrowed, together with interest thereon, at a rate not exceeding six per centum per annum. (a)

62. (56.) A secretary shall be appointed by the majority vote of all the members of the board of education; he shall be paid such salary as said board shall determine, and may be removed by a majority vote of all the members of said board. He shall, before entering upon the duties of his office, execute and deliver to said board a bond in a sum to be fixed by said board, but not less than two thousand dollars, with surety or sureties to be approved by said board conditioned for the faithful performance of the duties of his office. Said board may accept the bond or undertaking of a trust company or surety or indemnity company, and may pay the annual premium or fee therefor as a current expense of said board.

Secretary;
salary, bond.
Ibid.

63. (57.) The secretary may appoint and remove clerks in his office, but the number and salaries of such clerks shall be determined by the board of education.

Secretary's
power.
Ibid.

64. (58.) The secretary shall record the proceedings of the board and of its committees, and shall be the custodian of all securities, documents, title papers, books of record and other papers belonging to the board under such conditions as said board shall prescribe.

Secretary's
duties.
Ibid.

65. (59.) The secretary shall collect tuition fees and other moneys due to the board of education, except moneys apportioned by the County Superintendent of Schools or appropriated by the city, and shall deposit with the custodian of the school moneys of the district all moneys collected by him, and shall render monthly to the board of education a report of the receipts during the preceding month.

Secretary
to collect
moneys.
Ibid.

Report
collections.
Ibid.

66. (60.) The secretary shall be the general accountant of the board of education, and shall preserve in his office all accounts, vouchers and contracts relating to the

Secretary to
be general
accountant.
Ibid.

(a) See section 294.

public schools. He shall examine and audit all accounts and demands against said board. Every such account or demand exceeding in amount the sum of five dollars, except for salaries, shall be verified by affidavit.

Payment of
claims.
Ibid.

67. (61.) No claim or demand shall be audited or paid unless it shall be authorized by law and the rules of the board of education and be fully itemized, nor unless the amount required to pay the same shall have been theretofore appropriated by said board.

Disburse-
ments, how
made.
Ibid.

68. (62.) All disbursements of the board of education shall be by warrant drawn on the custodian of the school moneys of the district, signed by the president of said board and countersigned by the secretary. All warrants drawn in accordance with the provisions of this section, accompanied by itemized statements of the claims or demands that have been drawn, shall be forwarded by said secretary, to the comptroller, auditor or other officer, if there be one, authorized by law to audit claims and demands against the municipality in which such district shall be situate. Said comptroller, auditor or other officer shall be the auditor of the school district, and shall receive such compensation therefor as the common council or other governing body of said municipality shall determine, and the bonds given by such Comptroller, auditor or other officer for the faithful performance of his duty to such municipality shall be held to cover the performance of his duty as auditor of the school district. Such auditor shall examine and audit such warrants and statements, with a view to ascertaining whether the sum or sums are proper, and if he shall find them to be correct, he shall countersign said warrants and forward them to the city treasurer, who, by virtue of his office as city treasurer, shall be the custodian of school moneys of said school district. Said auditor shall, whenever he shall deem it to be for the best interests of the school district, examine under oath any person presenting a bill or claim against said school

Claims
audited.

district, and also examine witnesses and investigate by other evidence and inquiry all the facts relating to said claim which in his opinion are necessary to establish the accuracy and good faith of said claim, and to ascertain the school district's liability therefor. If said auditor shall have reason to believe that the claim or demand for which any such warrant shall have been issued is incorrect, or for any cause should not be paid, he shall return such warrant and statement to the secretary of the board of education, with a statement of the reasons why the same should not be paid, and said secretary shall correct such warrant and statement, or present them to the board of education at its next meeting. If said board shall find that the claim or demand for which said warrant was issued is correct and just it shall, by a vote of a majority of all the members of said board, order that it be paid, and said auditor shall, upon receipt of the warrant and statement thereof, together with a statement of the action of the board of education thereon, countersign the warrant and forward it to the custodian of school moneys. Said auditor shall, whenever he shall deem it necessary, examine all books, papers and vouchers of the board of education, or any officer thereof, and shall have free and unrestrained access to them for that purpose.

If auditor
in doubt.

69. (63.) The secretary shall report monthly to the board of education the amount for which warrants shall have been drawn during the preceding month, the accounts against which said warrants shall have been drawn and the balance to the credit of each account, and shall, at the close of the fiscal year, make a full itemized report of the finances of the school district.

Monthly
and yearly
reports.
Ibid.

70. (64.) Whenever a superintendent of schools shall be appointed, it shall be by a majority vote of all of the members of the board of education. He shall receive such salary as said board shall determine, which salary shall not be reduced during his employment. He may

Superintend-
ent of
schools.
Salary.
Ibid.

be removed by a majority vote of all the members of said board. He shall have a seat in said board and the right to speak on all educational matters, but shall not have the right to vote.

Assistant
superin-
tendents.
Ibid.

71. (65.) The board of education may, on the nomination of the Superintendent of Schools, appoint assistant superintendents and shall fix their salaries. Assistant superintendents may be removed by a majority vote of all the members of said board.

Qualifications
of superin-
tendents.
Ibid.

72. (66.) No person shall hereafter be appointed superintendent of schools, or assistant superintendent under the provisions of this article unless he shall hold a State teacher's certificate.

Duties of
superin-
tendent.
Ibid.

73. (67.) The Superintendent of Schools shall, when required by the Board of Education, devote himself exclusively to the duties of his office. He shall have general supervision over the schools of the district and shall examine into their condition and progress and report thereon from time to time as directed by the Board of Education. He shall have such other powers and perform such other duties as may be prescribed by said board. He may appoint and remove clerks in his office, but the number and salaries of such clerks shall be determined by said board. Said superintendent shall render annually, on or before the first day of August, to the Commissioner of Education, and in the manner and form prescribed by him, a report of such matters relating to the schools under his supervision as shall be required by said Commissioner of Education.

Annual
report.

Appointment
of teachers,
and selection
of text-books.
Ibid.

74. (68.) No principal or teacher shall be appointed, transferred or dismissed, nor the amount of his or her salary fixed; no school term shall be determined, nor shall any course of study be adopted or altered, nor text-books selected, except by a majority vote of the whole number of members of the board of education.(a)

(a) See sections 116 and 126.

75. (69.) The superintendent of schools may, with the approval of the president of the board of education, suspend any assistant superintendent, principal or teacher, and shall forthwith report such suspension to the board of education, which board shall take such action for the restoration or removal of such assistant superintendent, principal or teacher as it shall deem proper; *provided*, that such action shall be by a majority vote of all the members of said board.

Suspensions
of principals
or teachers.
Ibid.

Proviso.

76. (70.) Wherever a business manager shall be appointed it shall be by a majority vote of all the members of the board of education. He shall receive such salary as said board shall determine. He shall, before entering upon the duties of his office, execute and deliver to the board of education a bond in a sum to be fixed by said board, but not less than two thousand dollars, with surety or sureties to be approved by said board, conditioned for the faithful performance of the duties of his office. Said board may accept the bond or undertaking of a trust company, surety or indemnity company and may pay the annual premium or fee therefor as a current expense of said board. Said business manager may, by a majority vote of all the members of the board of education, be removed from office. He shall have a seat in said board, and the right to speak on all matters relating to his department, but shall not have the right to vote.

Business
manager.
Ibid.

Salary.

Bond.

77. (71.) The business manager shall have charge and care of the public school buildings, and all other property belonging to the school district. He may appoint and remove clerks in his office, but the number and salaries of such clerks shall be determined by the board of education.

Duties of
business
manager.
Ibid.

78. (72.) All plans and specifications for the erection, improvement or repair of public schoolhouses shall be drawn by or under the supervision of the business manager, if there be one, and shall be approved by the Board

Plans of
school-houses
supervised
by business
manager.
Ibid.

Proviso.

Inspection

Board of
school
estimate.
P. L. 1907,
Chap. 276.

of Education. Said business manager, if there be one, shall supervise the construction and repair of all school buildings, and shall report monthly to the Board of Education the progress of the work; *provided*, that repairs not exceeding the sum of one hundred dollars may be ordered by the business manager, and repairs not exceeding the sum of five hundred dollars may be ordered by the committee of the board having charge of the repair of school property, without the previous order of the board, and without advertisement. The business manager, if there be one, shall superintend all advertisements for bids and the letting of all contracts. He shall inspect all work done and materials or supplies furnished under contract, and shall, subject to the approval of the Board of Education, condemn any work and reject any material or supplies which, in his judgment, do not conform to the specifications contained in the contract therefor, and shall perform such other duties as may be required by the Board of Education. (a)

79. (73.) In every city school district the Board of Education shall appoint two of its members, and the common council, board of finances or other body in such city having the power to make appropriations of money raised by taxes in said city, shall appoint two of its members, and the four persons so appointed, together with the mayor or other chief executive officer of the city, shall constitute a board to be known as the "Board of School Estimate" of said school district. Said appointments shall be made annually during the month of January. In case of any vacancy occurring in any such Board of School Estimate by reason of the resignation, death or removal of any member thereof, such vacancy shall be immediately filled by the body which originally ap-

(a) 1. The provisions of the Mechanics' Lien law apply to school districts.
7 Dickinson 689.

2. See sections 128 and 129.

pointed such member, appointing another of its members to fill such vacancy.

The Secretary of the Board of Education shall be the Secretary of the Board of School Estimate, but shall receive no compensation as such. Secretary.

80. (74.) On or before the fifteenth day of May in each year, the Board of Education of such city school district shall prepare and deliver to each member of said Board of School Estimate an itemized statement of the amount of money estimated to be necessary for the current expenses of and for repairing and furnishing the public schools of such district for the ensuing school year, and also the amount which shall have been apportioned to such district by the county superintendent. Estimate furnished by board of education. P. L. 1903. Special session.

81. (75.) Between the fifteenth day of May and the first day of June in each year said Board of School Estimate shall fix and determine the amount of money necessary to be appropriated for the use of the public schools in such district for the ensuing school year, exclusive of the amount which shall have been apportioned to it by the County Superintendent of Schools. Said Board of School Estimate shall, on or before the last named date, make two certificates of said amount, signed by at least three of the members of said board, one of which certificates shall be delivered to the board of education of said school district, and the other to the common council, board of finance or other body in the city having the power to make appropriations of moneys raised by taxes in such city. Said common council, board of finance or other body shall, upon receipt of said notice, appropriate in the same manner as other appropriations are made by it the amount so certified as aforesaid, and said amount shall be assessed, levied and collected in the same manner as moneys appropriated for other purposes in such city shall be assessed, levied and collected; *provided*, that any Appropriations determined. Ibid.

Certificates.

Appropriation made.

Proviso.

Proviso.

Appropriations for land and buildings. P. L. 1904, Chap. 40.

Statement to be given to each member of board of estimate.

Appropriation, how made.

May borrow on "school bonds."

amount in excess of three-fourths of one per centum of the taxable valuation of the real and personal property shall be appropriated only with the concurrence and consent of said common council, board of finance or other body, expressed by its resolution duly passed; *and provided further*, that if the charter of the city shall limit the amount of tax or the rate of taxation in such city, so that the purposes of this section cannot be carried out, or shall otherwise by its terms prevent the carrying out of said purposes, said charter limitations shall be hereafter held not to apply to the raising of money under the provisions of this section.

82. (76.) Whenever a city board of education shall decide that it is necessary to raise money for the purchase of lands for school purposes, or for erecting, enlarging, repairing or furnishing a schoolhouse or schoolhouses, it shall prepare and deliver to each member of the Board of School Estimate of such school district a statement of the amount of money estimated to be necessary for such purpose or purposes; said Board of School Estimate shall fix and determine the amount necessary for such purpose or purposes, and shall make two certificates of such amount, one of which certificates shall be delivered to said board of education, and the other to the common council, board of finance or other body in the city having the power to make appropriations of money raised by tax in such city; said common council, board of finance or other body may appropriate such sum or sums for such purpose or purposes in the same manner as other appropriations are made by it, and said sum or sums shall be raised, assessed, levied and collected at the same time and in the same manner as moneys appropriated for other purposes in such city are raised, assessed, levied and collected; or said common council, board of finance or other body may appropriate and borrow such sum or sums for the purpose or purposes aforesaid, and may secure the repayment of the sum or

sums so borrowed, together with interest thereon at a rate not to exceed five per centum per annum, by the issue of bonds in the corporate name of such city; bonds so issued shall be designated "school bonds;" may be registered or coupon or both, of such denominations as the common council, board of finance or other board may determine, and shall be made payable in not more than fifty years from the date thereof; they shall be sold at public or private sale and not for less than par and accrued interest, and such city shall in its annual tax levy raise money sufficient to pay the interest on said bonds, together with at least one per centum per annum of the principal thereof, to provide a sinking fund for the retirement of said bonds at maturity; or in lieu of providing for a sinking fund for the retirement of said bonds at maturity, the bonds may be so issued that a stated equitable amount of them (in value), having regard to other school bonds already issued, shall become payable in each year, beginning not more than ten years from date of the earliest issue and ending in not less than forty years from such date, and in such case there shall be raised by tax in each year such sum of money as may be necessary to pay the interest on all outstanding bonds and the principal of such bonds as may mature during that year; the proceeds of the sale of such bonds shall be deposited with the custodian of school moneys of such school district and shall be paid out only on the warrants or orders of the Board of Education; *provided*, that the total amount of bonds for the purposes named in this section, including bonds theretofore issued for such purposes, and not redeemed, shall not exceed at any one time a sum equal to three per centum of the taxable valuation of the real and personal property in such city; *provided further*, that if the charter of the city shall limit the amount of indebtedness in such city, or shall by its terms prevent the carrying out of the provisions of

Sinking
fund.

Proviso.

Proviso.

this section, said charter provisions shall be hereafter held not to apply to the issuing of bonds under the provisions of this section. (a)

Township committee given power to carry into effect sections 73-76, P. L. 1911, Chap. 209.

83. (1.) Whenever any township shall have accepted the provisions of Article VI. of the act to which this act is a supplement, as provided in section two hundred and forty-three of said act, the township committee of such township shall, for the purpose of carrying into effect the provisions of sections seventy-three, seventy-four, seventy-five and seventy-six of said act, be deemed and taken to be a body having the power to make appropriations of money raised by taxes, and the president or chairman of such committee shall be deemed and taken to be the chief executive officer of such township.

Township committee to certify to assessor amount fixed by board of school estimate. *Ibid.*

84. (2.) The township committee of such township, upon the receipt of the certificate as provided in section seventy-five of the act to which this act is a supplement, shall certify to the assessor and collector of such township the amount of money fixed and determined by the Board of School Estimate as necessary to be appropriated for the use of the public schools in such township for the ensuing school year, exclusive of the amount apportioned to it by the County Superintendent of Schools, and the said amount shall be assessed, levied and collected in the same manner as moneys appropriated for other purposes in such township shall

(a) A resolution of a board of school estimate fixing and determining the amount of money necessary for the erection of a school house at the sum of \$175,000, "on the condition that a school building containing twenty units shall be erected," is not such a determination as is required by section 76. *Board of Education of Montclair v. Town Council of Montclair*, 47 Vr. 59.

Under section 76 of the School law, when the board of school estimate has fixed and determined the amount necessary for the purchase of land and erection of a school-house, it is mandatory upon the body having the power to make appropriations of money raised by tax, to cause the amount to be raised by tax, or to borrow the same and secure its repayment by the issue of bonds. *Montclair v. State Superintendent*, 48 Vr. 68.

When the body having power to make appropriations of money raised by tax fails to provide for the amount fixed and determined by the board of school estimate, a controversy has arisen under the school laws, and the remedies by appeal to the State Superintendent of Public Instruction and the State Board of Education must be exhausted before recourse is had to the courts. *Ibid.*

be assessed, levied and collected; *provided*, that any amount in excess of three-fourths of one per centum of the taxable valuation of the real and personal property shall be assessed, levied and collected only with the concurrence and consent of the township committee.

85. (3.) The township committee of such township, upon the receipt of the certificate as provided in section seventy-six of the act to which this act is a supplement, may certify to the assessor and collector of such township the sum or sums fixed and determined by the Board of School Estimate for the purposes named in said section, and the sum or sums so certified shall be assessed, levied and collected at the same time and in the same manner as moneys appropriated for other purposes in said township are assessed, levied and collected; or such township committee may borrow such sum or sums and may secure the repayment of the sum or sums so borrowed, together with interest thereon at a rate not to exceed five per centum per annum, by the issue of bonds in the corporate name of the township in the manner and subject to the limitations as provided in said section. Such township committee shall annually certify to the assessor and collector of such township the amount of money necessary to pay the principal and interest on bonds falling due during the ensuing year, and the amount so certified shall be assessed, levied and collected at the same time and in the same manner as moneys for other purposes in such township are assessed, levied and collected.

Proviso.

Township committee to raise amount for school buildings certified by board of school estimate. Ibid.

ARTICLE VII.

TOWNSHIP, INCORPORATED TOWN AND BOROUGH SCHOOL DISTRICTS.

86. (77.) In each township, incorporated town and borough school district, there shall be a board of education consisting of nine members, except as hereinafter

Boards of education, how chosen. P. L. 1903, Special session.

Vacancy.

provided; three members of such board shall be chosen at each annual school meeting and shall hold office for the term of three years. In case there shall be a vacancy in a board of education, such vacancy shall be filled at the next annual meeting after such vacancy occurs, and the person elected to fill such vacancy shall be elected for the unexpired term only.

Number of trustees may be reduced.
P. L. 1904,
Chap. 28.

87. (78.) If the board of education in any school district created under the provisions of this article shall deem it for the best interests of the schools that the number of members constituting said board shall be reduced, the district clerk, when directed by said board, shall insert in the call for the next annual school meeting a notice that it will be determined at said meeting whether the number of members of the board of education shall be reduced to five or three. If it shall be determined at said meeting to reduce the number of members of said board to either five or three, the members of said board then in office shall continue in office for the terms for which they were severally elected, and their successors shall be elected in the manner following:

If number to be five.

I. If it shall be determined at said meeting that the number of members of the board of education shall be reduced to five, no election for members of said board shall be held at said meeting. At the next annual school meeting two members of said board shall be elected for the term of three years, and at the second annual school meeting held after the meeting at which it was determined to reduce the number of members of the board of education to five, two members of said board shall be elected for the term of three years and one for the term of one year, and thereafter there shall be elected at each annual school meeting a member or members of said board, in the place of those whose terms shall have expired, who shall hold office for the term of three years.

If number to be three.

II. If it shall be determined at said meeting that the number of members of the board of education shall be

reduced to three, no election for members of said board shall be held until the second annual school meeting held after the meeting at which it was determined to reduce the number of members of the board to three. At such second annual school meeting there shall be elected three members of said board to serve for one, two and three years respectively, and thereafter one member of said board shall be elected at each annual school meeting, in the place of the member whose term shall have expired, who shall hold office for the term of three years.

Whenever a new township, incorporated town or borough school district shall be created, there shall be held, at the ensuing annual school meeting, an election for members of the board of education. Before proceeding to ballot for such members of the board of education the legal voters present shall determine whether the board of education shall consist of three, five or nine members. If it shall be determined that the board shall consist of three members, then said legal voters shall elect one member to serve for the term of one year, one for the term of two years, and one for the term of three years. If it shall be determined that the said board shall consist of five members, the said legal voters shall elect one member to serve for the term of one year, two for the term of two years, and two for the term of three years. If it shall be determined that said board shall consist of nine members, said legal voters shall elect three members to serve for the term of one year, three for the term of two years, and three for the term of three years. Annually thereafter there shall be elected a person or persons for the term of three years in the place of the member or members whose terms shall have expired.

Determining
number of
trustees in
new township,
etc.

88. (79.) An annual meeting for the election of members of the board of education shall be held in each township, incorporated town or borough school district on the third Tuesday in March at a schoolhouse or such other convenient public place within the district as may be

Annual
district
meeting.
P. L. 1903.
Special
session.

Notices.

selected by the Board of Education. Not less than seven notices of such meeting, specifying the day, time, object and place thereof, shall be posted by the district clerk at least ten days before the date of such meeting; one of such notices shall be posted on each schoolhouse within the district, and at such other public places therein as the Board of Education of said district shall direct. Any district clerk who shall fail to post notices calling said annual meeting as required by this section shall pay a fine of twenty dollars, to be recovered in a court for the trial of small causes by any resident of said school district. A plurality of the votes cast shall be sufficient to elect a member of a board of education. (a)

Penalty for failure to post notices.

Election by ballot.
Ibid.

89. (80.) All elections for members of such board of education shall be by ballot. The polls for such election shall remain open one hour and as much longer as may be necessary to enable the legal voters present to cast their ballots. Said ballots may be printed or written, or partly printed and partly written. In case a member of a board of education is to be elected for a full term, and a member is to be elected to fill an unexpired term, the ballots shall designate which of the persons voted for is to be elected for the full term, and which for the unexpired term. The chairman of the meeting shall appoint two tellers, who shall receive and count the ballots in his presence, and said chairman shall announce the result of such election. The secretary of the meeting shall keep a poll-list and record therein the name of each person voting at such election, and shall also keep a tally-sheet of the votes as counted by the tellers. The tally-sheet shall be signed by the chairman and tellers, and said tally-sheet, poll-list and ballots shall be placed by the secretary in a sealed package indorsed with the name of the district, the name of the county

Election, how conducted.

Report of election and ballots to be deposited with county superintendent.

(a) School trustees are officers within article 2, paragraph 1 of the constitution, so that, if they are made elective by the people, only male citizens can vote for them. *State v. Deshler*, 1 *Dutcher* 177; *Kimball v. Hendee*, 28 *Vr.* 307.

in which said district shall be situate, and the date on which said election shall have been held, and said package, together with a statement of the result of said election signed by the chairman and secretary, shall be, by said secretary, forwarded to the County Superintendent of Schools within five days after the date of such election and the same shall be preserved for one year.

90. (81.) At any annual meeting when the question of raising a tax, the issuing of bonds, or the establishing of a union graded school is to be voted on, two ballot-boxes shall be provided, and two tellers shall be appointed for each box. One of said boxes shall be used to receive the ballots for members of the board of education and the other to receive the ballots for the other objects enumerated in this section.

Two ballot-boxes in certain cases. *Ibid.*

91. (82.) Every male citizen of the United States who shall have the qualifications required for electors for the General Assembly of the State of New Jersey, shall have the right to vote at such meeting. Every female citizen of the United States of the age of twenty-one years and possessing the qualifications respecting residence required of male voters, shall have the right to vote at any annual or special school meeting of the legal voters of said school district for any purpose other than the election of members of the board of education. (a)

Qualifications of voters at school meetings. *Ibid.*

92. (83.) A member of a board of education shall be a citizen and resident of the territory contained in said school district, and shall have been such citizen and resident for at least three years immediately preceding his or her becoming a member of such board, and shall be able to read and write. He shall not be interested, directly or indirectly, in any contract with nor claim against said board.

Qualifications of members of board of education. *Ibid.*

93. (84.) Each board of education elected as provided in this article shall be a body corporate, and shall be

Corporate name. P. L. 1909, Chap. 174.

(a) Women may vote at school meetings for all purposes except the election of officers. *Landis v. School District, &c.*, 28 Vr. 509; *Chamberlain v. Cranbury*, 28 Vr. 605. See foot-note to section 88.

Title to
property
vested in
school
board.

known as and called "the Board of Education of the (township, town or borough, as the case may be) of, in the county of". The title to school property, real and personal, previously acquired by a school district acting under the provisions of this article, or by any school district, board of education, school trustees or other body heretofore having charge and control of the public schools situate in the territory now contained in such school district, or in any part thereof, and the title to all lands, buildings and other property hereafter acquired for school purposes in said school district shall vest in the board of education incorporated under the provisions of this section. (a)

Organization
of school
board.
P. L. 1907,
p. 283.

94. (85.) Each board of education created under the provisions of this article shall organize annually on the first Monday in April by the election of one of its members as president and another as vice-president. A president or vice-president who refuses to perform any duty imposed upon him by this act may be removed by the majority vote of all the members of the board. If said board shall fail to organize on said day, the County Superintendent of Schools shall appoint, from among said members, a president and a vice-president. In case the office of president or vice-president shall become vacant, the Board of Education shall, within thirty days thereafter, fill such vacancy for the unexpired term; and if it shall fail to fill said vacancy within the said thirty days, the County Superintendent of Schools shall fill such vacancy for the unexpired term. A member of such board of education shall, before entering upon the duties of his office, take and subscribe an oath, before any officer authorized by law to administer oaths, that he possesses the qualifications to be a member of said board prescribed therefor in this article, and that he

Failure to
organize.

Vacancies.

Oath.

(a) A *certiorari* is not properly used to bring up the certificate of the name, &c., of a school district to enable the court to decide on the legal existence of such corporation. *State v. Van Winkle*, 1 *Dutcher* 73; *State v. Donahay*, 1 *Vr.* 404; *State v. Brown*, 2 *Vr.* 355.

will faithfully discharge the duties of his said office. Said oath shall be filed with the district clerk of said board.(a)

95. (86.) The Board of Education shall have power :

I. To appoint a person to fill a vacancy in the Board of Education, except a vacancy caused by a failure to elect, but the person so appointed shall serve only until the next election for members of the Board of Education.(b)

Powers of district boards. Appointment to fill vacancy (see section 30, division IV.).

II. To employ and dismiss principals, teachers, janitors, mechanics and laborers, and to fix, alter and order paid their salaries and compensation.(c)

Employ teachers, etc.

III. To make, amend and repeal rules, regulations and by-laws, not inconsistent with this act or with the rules and regulations of the State Board of Education, for its own government, for the transaction of business, and for the government and management of the public schools and the public school property in said district, and also for the employment and discharge of principals and teachers.(c)

Make rules.

IV. To purchase, sell and improve school grounds ; to erect, lease, enlarge, improve, repair or furnish school buildings, and to borrow money therefor with or without mortgage ; (d) *provided*, that for any such act it shall

Purchase, sell or lease school-houses.

Proviso.

(a) When a person who is elected to an office is required, before entering upon the discharge of the duties thereof, to take and subscribe an oath of a specified form, the taking of the oath essentially in that form is a condition precedent to his complete investiture into the office, and, in contemplation of law, is just as much a requisite to its enjoyment as the election itself. *Hayter v. Benner*, 38 Vr. 359.

(b) The office of trustee is not vacated by an unaccepted resignation. *Townsend v. School Trustees, &c.*, 12 Vr. 312.

The general rule applicable to all public offices is that a resignation of office does not become complete until presented to the proper authority and accepted by it. In the absence of any specific rule prescribing to what authority a resignation must be presented, the proper authority to accept a resignation is that which has power to fill the vacancy. *Fryer v. Norton*, 38 Vr. 537.

(c) See sections 7, div. VII, 116, 126, 140, 253, 286, 287, 288 and 289.

(d) A board of education in seeking proposals for a contract to supply school furniture may lawfully delegate to a committee of its body the duty of preparing and submitting the specifications for such purpose, and of conducting negotiations for the contract ; *provided* the proposals and the result of the negotiations are first reported to and considered by the board before final action in awarding the contract. *Kraft v. Board of Education*, 38 Vr. 512.

have the previous authority of a vote of the legal voters of the district.

Condemn
land for
school
purposes.

V. To take and condemn land and other property for school purposes in the manner provided by law regulating the ascertainment and payment of compensation for property condemned and taken for public use. If either party shall feel aggrieved by any proceedings and award thereunder, said party may appeal in the manner provided by law for appeals from such proceedings and award; *provided*, that before beginning any proceedings for taking and condemning land and other property, the Board of Education shall have the authority of a vote of the legal voters of the district (a)

Proviso.

Insure school
property.

VI. To insure school buildings, furniture and other school property, and to receive, lease and hold in trust for the district any and all real or personal property for the benefit of the schools thereof.

Select text-
books and
prescribe
course of
study.

VII. To enforce the rules and regulations prescribed by the State Board of Education, select the text-books, and, in connection with the County Superintendent of Schools, to prescribe the course of study to be pursued in the school or schools under its charge.

Expel pupils.

VIII. To suspend or expel pupils from school.

Provide
text-books.

IX. To provide text-books and other necessary school supplies.

Call special
meetings of
legal voters.

X. To call a special meeting of the legal voters of the district at any time when in its judgment the interests of the school require it, or whenever fifty of such legal voters shall request it by petition so to do. In the notices of any special meeting, called upon petition as aforesaid, shall be inserted the purposes named in said petition so far as the same are not in conflict with the provisions of this act. No business shall be transacted at any special meeting except as shall have been set forth in the notices by which said meeting was called. Special meetings

(a) A vote of a majority of legal voters authorizing a board of education to purchase school grounds, does not empower the board to condemn land for school purposes. *Fuller v. Chatham*, 49 *Pr.* 107.

shall be called in the manner provided for calling the annual meetings. (a)

XI. To permit a schoolhouse to be used for other than school purposes when the board shall consent thereto. Use of school-house for other purposes.

XII. To adopt an official seal by which all its official acts may be authenticated. Seal.

XIII. To make an annual report to the County Superintendent of Schools on or before the first day of August in the manner and form prescribed by the Commissioner of Education. Annual report.

XIV. To borrow, after the first day of July and before the first day of January, a sum not exceeding one-half of the amount appropriated for the current expenses of the schools and for the repair of schoolhouses under its control, and to execute and deliver promissory notes therefor, and to pay the amount so borrowed, together with interest thereon, at a rate not exceeding six per centum per annum. (b) Borrow money.

96. (87.) A board of education may, under such rules and regulations as shall be prescribed by the State Board of Education, appoint a suitable person as Supervising Principal of Schools, define his duties and fix his salary; *provided*, that no person shall be appointed Supervising Principal unless he or she shall hold either a State or first-grade county certificate (and provided further that), nor until the necessity for the appointment of a Supervising principal.
P. L. 1909, Chap. 170.

Proviso.

(a) 1. Special meetings of the voters must be called by the board of trustees regularly convened. *Bogert v. Trustees, &c.*, 14 Vr. 358.

2. Notices of a special school meeting to raise special school taxes should be put up at least ten days before the time of meeting. *Davis v. Rapp*, 14 Vr. 594; *Canda Manufacturing Co. v. Woodbridge*, 29 Vr. 134.

3. A special meeting of the legal voters of a school district, duly called, may vote to raise money for school purposes, although such appropriation has been refused at the annual meeting. *State v. Lewis*, 6 Vr. 377; *Stanton v. Board of Education*, 39 Vr. 496.

4. A special meeting of a school district can vote to raise money to build a school-house, although a similar proposition had been rejected at a previous special meeting held in the same year. *Stackhouse v. Clark*, 23 Vr. 291.

5. A notice that the object of the meeting is to purchase a school-house will not warrant a resolution to pay for a school-house already built. *Lamb v. Hurff*, 9 Vr. 310.

(b) See section 294.

Minimum
salary.

Joint district
supervisor.

Majority
vote required
in certain
cases.
P. L. 1903,
Special
session.

Regular
meetings.

Itemized bills.
Ibid.

Supervising Principal shall have been authorized in writing by the County Superintendent of Schools, and approved by the Commissioner on Education and the State Board of Education. The County Superintendent of Schools in making his annual apportionment of school moneys shall not apportion the amount allowed by law for a Supervising Principal unless the salary paid to such Supervising Principal shall amount, at least, to the sum of one thousand dollars per annum. The boards of education of two or more districts may unite in employing a Supervising Principal. The terms of all Supervising Principals now in office shall end on June thirtieth next after the passage of this act, and none shall hereafter be appointed except in the manner provided by this act. (a)

97. (88.) No principal or teacher shall be appointed, transferred or dismissed, nor the amount of his salary fixed; no school term shall be determined, nor shall any course of study be adopted or altered, nor text-books selected, except by a majority vote of the whole number of members of the Board of Education. (b)

98. (89.) The Board of Education of every school district elected under the provisions of this article shall meet for the transaction of business at least once in two months during the period that the schools in said district shall be in session. No contract shall be entered into by a board of education, nor shall any bill or demand for money against said board be paid until the same shall have been presented and passed on at a regularly called meeting of the board.

99. (90.) It shall be unlawful for any board of education to order paid out of the school moneys under its control any money for school supplies, books, maps, charts, globes, fuel, erecting, enlarging, repairing, furnishing or improving school buildings and grounds, unless the

(a) See section 3, div. IX.

(b) See foot-note to sections 116 and 126.

person claiming said money shall first present to said board an itemized bill showing the name of the person, to whom the amount of such bill is due; *provided*, that the district clerk, whenever authorized by said board, may purchase such supplies for the school or schools under its control, and shall present an itemized bill of the same with his affidavit attached, which bill shall be acted on and paid as other bills are paid. Every person presenting any such bill exceeding in amount the sum of five dollars, shall make an affidavit that the goods or services itemized in said bill have been delivered or rendered, and that no bonus nor reward has been given or received by any person with the knowledge of the deponent in connection with the claim, and that said bill is correct and true. The district clerk is hereby authorized to take said affidavit without cost.

Proviso.

Affidavit
to bills.

100. (91.) Every board of education organized under the provisions of this article shall, by the majority vote of all the members of such board, appoint a district clerk, who may be elected from among said members, and shall fix his compensation and term of employment. Said district clerk, as such, may be removed by a majority vote of all the members of said board. He shall, before entering upon the duties of his office, execute and deliver to said board a bond in a sum to be fixed by said board, with surety or sureties to be approved by said board, conditioned for the faithful performance of the duties of his office. Said board may accept the bond or undertaking of a trust company, or surety or indemnity company, and may pay the annual premium or fee therefor as a current expense of said board. He shall record in a suitable book all proceedings of the Board of Education, of the annual school meetings and of special school meetings. He shall pay out by orders on the custodian of the school moneys of the school district, and in the manner prescribed by law, all school moneys of the district. He shall keep a correct and detailed account of all the expenditures of school

District
clerk.
P. L. 1909,
Chap. 11.

Bond.

Records,
duties, etc.

Annual
report.

Further
duties.

When balance
salary paid.

Member
removed for
non-attend-
ance.
P. L. 1903,
Special
session.

Semi-annual
meetings of
boards of
education.
Ibid.

moneys in the district, and shall report to the board at each regular meeting the amount for which warrants shall have been drawn since the date of his last report, the accounts against which said warrants shall have been drawn, and the balance to the credit of each account. At each annual school meeting he shall present his record books and his accounts for public inspection, and shall make a statement of the financial condition of the district. He shall post notices of the annual and of any special meeting of the legal voters, and shall insert in said notices the object or objects for which said meeting shall be called; shall notify all members of the Board of Education of all regular and special meetings of the board, and during the month of July in each year he shall present to the Board of Education a detailed report of the financial transactions of the board during the preceding school year, and file a copy thereof with the County Superintendent of Schools. The warrant or order for the balance of salary due a district clerk at the close of the school year shall not be delivered to him until written notice has been received from the County Superintendent that such district clerk has filed with him such annual report. (a)

101. (92.) A member of a board of education elected under the provisions of this article who shall fail to attend three consecutive regular meetings of said board, without good cause, may be removed by said board, and the vacancy thus created shall be filled in the same manner as other vacancies in the Board of Education shall be filled.

102. (93.) The boards of education in the several school districts in each county organized under the pro-

(a) 1. An order of the district clerk which specifies the object for which it was given, without any designation of the yearly taxes out of which it shall be payable, is a sufficient voucher for the township collector. *Zimmerman v. Mathe*, 20 Vr. 45.

2. The township collector paying out school moneys on statutory orders is not responsible for the application the school trustees have made of the money. *Ibid.*

visions of this article, shall meet together semi-annually at such time and places as the County Superintendent of Schools shall appoint.

103. (94.) A board of education may, in its corporate capacity, sue and be sued, complain and defend in any court of law and equity, and employ counsel therefor, and the amount of the expense incurred by said board in conducting or defending any such suit shall be certified to the assessor by the president and district clerk of such board, and said amount shall be assessed and collected in the next annual tax levy. (a)

Right to
sue, etc.
Ibid.

104. (95.) The legal voters (b) of each township, incorporated town or borough school district may, at any annual or special meeting of said legal voters, by the vote of a majority of those present, raise by a special district tax such sum or sums as a majority of said legal voters present at such meeting may agree upon for any or all of the following purposes: To enable the Board of Education to purchase or take and condemn land for school purposes; to build, enlarge, repair or furnish a schoolhouse, or to pay a debt incurred therefor; for industrial schools, for manual training, and for the current expenses (c) of the schools, in which term shall be included principals', teachers', janitors' and medical inspectors' salaries, fuel, text-books, school supplies, flags, transportation of pupils, tuition of pupils attending schools in other districts with the consent of the Board of Education, school libraries, compensation of the district clerk, of the custodian of the school moneys and of truant officers, truant schools, insurance and the

District tax
for school
purposes.
P. L. 1910,
Chap. 242.

Purposes
enumerated.

(a) 1. An action against a municipal corporation cannot be brought in the court for the trial of small causes. *Princeton v. Mount*, 5 *Dutcher* 299; *Townsend v. School Trustees, &c.*, 12 *Vr.* 312; *School Trustees v. Stocker*, 13 *Vr.* 115.

2. The action must be brought against the district by its corporate name, and not against the trustees in their individual names, with the description appended of trustees, &c. *Sproul v. Smith*, 11 *Vr.* 314.

(b) For definition of "legal voters" see section 91.

(c) The phrase "current expenses" or "running expenses" is sufficiently definite to denote one of the purposes for which a school tax is to be levied. *Stanton v. Board of Education*, 39 *Vr.* 496.

Certificate
to assessor.

incidental expenses of the schools. In case any money shall be ordered to be raised by special tax, the district clerk shall make out and sign a certificate thereof, (a) under oath or affirmation, that the same is correct and true, and deliver the same to the Board of Taxation of the county in which such school district shall be situate, on or before the third Tuesday in August in each year, and shall send a duplicate of said certificate to the County Superintendent of Schools. The assessor of any taxing district shall assess on the inhabitants of the school district and their estates, and the taxable property therein, in the same manner as other taxes shall be assessed, and the collector of such taxing district shall levy and collect such sum of money as shall have been ordered to be raised by the legal voters in the manner aforesaid, and shall pay the same to the custodian of the school moneys of the school district as is in this act provided, and for collecting said tax, said collector, except such as receive a salary in lieu of fees, shall receive an amount equal to three-fourths of one per centum of the amount of said tax collected by him, said compensation to be paid by the township com-

(a) 1. To sustain an assessment ordered by the inhabitants of a school district called together for that purpose, the proof must be clear that ten days' legal notice of the time, place and purpose of such meeting was given. *State v. Van Winkle*, 1 *Dutcher* 73.

2. Where an assessment of a tax for the purpose of building a school-house is ordered, the sworn certificate stating that the notice of the meeting was given "in accordance with the act" is not sufficient. The certificate should state what the notice was, when and where put up, and all the facts necessary to show that the law has been complied with. *State v. Hardcastle*, 2 *Dutcher* 143; 3 *Dutcher* 551; *Cochran v. Garabrant*, 3 *Vr.* 444; *Banghart v. Sullivan*, 7 *Vr.* 89; *Trustees, &c., v. Padden*, 15 *Vr.* 151; *Quaid v. Trustees, &c.*, 20 *Vr.* 607.

3. When a meeting of the inhabitants of a school district is held and money voted to be raised by taxation at a special meeting, the previous action of the trustees in calling the meeting should appear in the certificate of the clerk to the assessor. *Lamb v. Hurff*, 9 *Vr.* 310.

4. It is essential to the validity of the certificate of the district clerk that it set forth that due notice has been given of the amount proposed to be raised at the district meeting. It is also necessary that it appear by the certificate that the meeting was ordered by the trustees. *Slack v. Palmer*, 10 *Vr.* 250.

5. The certificate of the district clerk must show how the amount ordered to be raised was apportioned by the legal voters. *Corrigan v. Duryea*, 11 *Vr.* 266; *Trustees, &c., v. Padden*, 15 *Vr.* 151.

mittee or other governing body of the municipality wherein said tax shall be collected. Said collector shall pay to said custodian, on or before the twenty-second day of December in each year, the full amount of said tax out of any moneys in his hands, except moneys received from the County Collector on the order of the County Superintendent of Schools; *provided*, that when there shall be no funds in the hands of said collector available for such purpose, the township committee, common council or other body having control of the finances of the municipality in which such school district shall be situate, shall borrow and appropriate a sum sufficient for such purpose; *provided further*, that when any meeting shall be held as aforesaid it shall not be lawful for such meeting to order a greater sum of money raised by special tax than shall have been mentioned and designated in the notices calling such meeting. (a)

Time for
payment to
custodian.

Proviso.

Proviso.

105. (96.) At any annual or special meeting when money shall be ordered raised for school purposes by a special district tax or by the issue of bonds, the legal voters shall vote by ballot. The chairman of the meeting shall appoint two tellers, who shall receive and count the

Vote to be
by ballot.
P. L., 1903.
Special
session.

(a) 1. Under the statutes of this State, school districts are political organizations possessing the power of taxation. *Landis v. School District, &c.*, 28 Vr. 509.

2. School taxes must be assessed upon the same property and in the same manner as all other taxes. *Roll v. Perrine*, 5 Vr. 254.

3. School taxes illegally assessed will be set aside by *certiorari* by the persons aggrieved. *State v. Browning*, 3 Dutcher 527; 4 Dutcher 556.

4. The resolution passed at the district meeting must direct the particular purpose for which the money is to be raised, which must be one of the purposes mentioned in the act and must be stated in the notices. If money is voted for more than one purpose, the resolution must specify the amount apportioned to each. *Cochran v. Garrabrant*, 3 Vr. 444; *Banghart v. Sullivan*, 7 Vr. 89; *Corrigan v. Duryea*, 11 Vr. 266; *Schomp v. Cole*, 22 Vr. 277.

5. A resolution to raise a single sum for building and furnishing a school-house is not bad for uncertainty, because the amount to be used for building and the amount for furnishing are not separately stated. *Stackhouse v. Clark*, 23 Vr. 291.

6. A resolution to sell an old school-house passed at the same meeting that it was resolved to raise money to build a new school-house is illegal because no notice was given that the former would be a subject for consideration at the meeting. *Ibid.*

7. See sections 128 and 129.

Election, how
conducted.

Report to
county su-
perintendent.

District may
issue bonds.
Ibid.

Description
of bonds.

ballots in his presence. The secretary of the meeting shall keep a poll-list and shall record therein the name of each person voting, and shall also keep a tally-sheet of the votes as counted. The tally-sheet shall be signed by the chairman and tellers, and said tally-sheet, poll-list and ballots shall be placed by the secretary in a sealed package, indorsed with the name of the district, the name of the county in which the district shall be situate, and the date on which said election shall have been held, and said package, together with a statement of the results of such election, signed by the chairman and secretary, shall, within five days after the date of said meeting, be forwarded by said secretary to the County Superintendent of Schools, and the same shall be preserved by him for one year.

106. (97.) The legal voters of any township, incorporated town or borough school district may, either at the annual meeting of said district, or at a special meeting thereof called for that purpose, by a vote of the majority of those present, authorize the Board of Education to issue bonds of the district for the purpose of purchasing or taking and condemning land for school purposes, or building a schoolhouse or schoolhouses, or making additions, alterations, repairs or improvements in or upon any schoolhouse and the lands upon which the same shall be located, and of purchasing school furniture and other necessary equipment. Such bonds shall be issued in the corporate name of the district, for such sums and in such amounts and payable at such times as the legal voters so met shall direct, with interest at a rate not exceeding six per centum per annum, payable half-yearly. Said bonds shall be signed by the president of the Board of Education and attested by the district clerk; shall bear the seal of the district, and shall have coupons attached for current payment of interest, (a) which coupons shall be signed by the district

(a) See section 274.

clerk and shall be numbered to correspond to the several bonds to which they shall be severally attached. Bonds so issued shall be numbered and a proper registry thereof shall be kept by the district clerk. Such bonds may be sold at public or private sale for the best obtainable price, but not less than par. (a)

Sale of
bonds.

107. (98.) Whenever bonds shall have been legally issued by any township, incorporated town or borough school district, and the same shall be due and unpaid or outstanding, the Board of Education of such district, when authorized so to do by the legal voters thereof at an annual meeting of said district, or at a special meeting thereof called to act thereon, shall have power to renew such outstanding bonds or any part thereof by the issuing of new bonds for that purpose, in the name and under the seal of said district. Such bonds shall be in the general form of the bonds theretofore issued by said district, shall be signed by the president of the Board of Education and attested by the district clerk, shall bear the seal of the district, shall bear interest at a rate not exceeding six per centum per annum, and shall be issued for such sums and in such amounts and payable at such times as the legal voters at such meeting shall direct. Such bonds shall have coupons attached for current payment of interest, (b) which coupons shall be signed by the district clerk and shall be numbered to correspond to the several bonds to which they shall be severally attached. Bonds so issued shall be numbered and a proper registry thereof kept by said district clerk. They may be sold at public or private sale for the best obtainable price, but not less than par, and the money realized from such sale shall be applied to

Renewal of
bonds.
Ibid.

(a) 1. It is necessary that it shall clearly and unequivocally appear upon the face of the proceedings for the issue of bonds of a school district, that the bonds are to be issued only for purposes which the statute authorizes them to be issued for. *Chamberlain v. Cranbury*, 29 Vr. 347.

2. Bonds issued by school districts are not mere mortgages, but are evidences of legal debts of the districts issuing them. *McCully v. Board of Education, &c.*, 34 Vr. 18.

(b) See sections 128, 129, 275 and 276.

the taking up and cancellation of such outstanding bonds; or said renewal bonds may be exchanged for such outstanding bonds on an equal basis of principal and interest, and the bonds so redeemed shall be forthwith cancelled by the Board of Education of said district. (a)

Bonds a lien
on all
property in
districts.
Ibid.

Proceedings
to be
approved by
attorney-
general.

Notice to
assessor.
Ibid.

Collection of
tax to pay
bonds and
interest.

108. (99.) Bonds of any school district issued under the provisions of this article shall be a lien upon the real estate situate in said district, and the personal estates of the inhabitants of the said district, as well as the property of said district, and said estates and property, shall be liable for the payment of the same. Whenever bonds shall be authorized to be issued by any school district as aforesaid, the district clerk shall transmit certified copies of the record of the proceedings authorizing the issuing of such bonds to the Attorney-General for his approval of the legality of said proceedings, and duplicate copies of such record shall be filed with the Commissioner of Education.

109. (100.) Whenever a township, incorporated town or borough school district shall have ordered and authorized the issue of bonds and the same shall have been issued, the district clerk shall, each and every year, issue to the assessor of the taxing district in which such school district shall be situate, an order directing him to assess upon the owners of property in said taxing district and their estates, and the taxable property therein, an amount sufficient to pay the bond or bonds maturing in such year, together with the interest accruing upon all the unpaid bonds of such district, which order so issued as aforesaid shall be duly executed by said assessor. The moneys so assessed shall be levied and collected by the collector of said taxing district, who shall on or before the fifth day of January next thereafter, pay the full amount so ordered to be assessed, levied and collected to the custodian of the school moneys of said school dis-

(a) See sections 275 and 276.

trict, who shall, upon the receipt of the orders of the Board of Education, signed by the president and attested by the district clerk (which orders shall state at what bank the said principal and interest shall be payable), deposit in such bank the sum of money necessary to pay the principal and interest as they shall become due and payable.

110. (101.) On the taking up of outstanding bonds, or on the payment of bonds of any township, incorporated town or borough school district the Board of Education of such district shall forthwith cancel the same, and when so cancelled they shall be deposited in the office of the Commissioner of Education.

Cancellation
of bonds.
Ibid.

111. (102.) The district clerk in any district in which there shall be any interest-bearing school debt shall, on or before the first day of August in each year, report to the Commissioner of Education the amount of such debt then remaining unpaid, together with the rate of interest, the date or dates on which the bonds, notes or other evidences of indebtedness were issued, and the date or dates on which they will fall due.

Report of
indebtedness
to state
superintend-
ent.
Ibid.

112. (103.) Whenever a township, incorporated town or borough school district shall desire to consolidate with an adjoining township, incorporated town or borough school district, the Board of Education of said district shall petition the County Superintendent of Schools of the county in which said district shall be situate, to appoint a time when meetings of the legal voters of the districts proposed to be consolidated shall be held, and said County Superintendent of Schools shall, upon receiving said petition, appoint a day for said meetings, and shall notify the Board of Education of each of said districts of his action. Each Board of Education receiving such notification shall cause its district clerk to post notices calling a special meeting of the legal voters of the district for the purpose of voting on the question of the consolidation of said districts. Said meeting shall be called in the same manner as other special meet-

Consolidation
of districts.
Ibid.

Time, notice,
election.

ings are called, and shall be held on the day designated therefor by the County Superintendent of Schools, at such hour and place as may be determined by the Board of Education. The election shall be by ballot, and the chairman shall appoint two tellers, who shall receive and count the ballots in the presence of the chairman of the meeting. The secretary of the meeting shall keep a poll-list and shall record therein the name of each person voting at such meeting, and shall also keep a tally-sheet of the votes as counted by the tellers. The tally-sheet shall be signed by the chairman and tellers, and said tally-sheet, poll-list and ballots shall be placed in a sealed package by the secretary, indorsed with the name of the district, the name of the county in which said district shall be situate, and the date on which said election shall have been held, and said package, together with a statement of the result of said election, signed by the chairman and secretary, shall be, within five days after the date of said election, forwarded by said secretary to the County Superintendent of Schools, and the same shall be preserved by him for one year. If the County Superintendent of Schools shall ascertain from said statements that the number of votes cast in each of said districts in favor of consolidation exceeds the number of votes cast against the same, he shall immediately notify each of the Boards of Education of the result of said election, and thereafter said districts shall constitute but one district.

Report to,
and action
by, county
superintend-
ent.

Board of
education of
consolidated
district.
Ibid.

113. (104.) The Board of Education of each district consolidated in the manner provided in the preceding section shall, upon receipt of the notice from the County Superintendent of Schools of such consolidation, select by lot four of its number to serve as members of the Board of Education of the consolidated district, and the eight members so selected shall select the ninth member of said board from among the remaining members of the Board of Education of that district which shall employ the greater number of teachers; *provided,*

Proviso.

that if the Board of Education of one of the districts so consolidated shall consist of but three members, all of said members shall be members of the Board of Education of the consolidated district, and four members of said board shall be chosen as hereinbefore provided from the Board of Education of the other district so consolidated; *and provided further*, that if each of said Boards of Education shall consist of three members only, said board shall constitute the Board of Education of the consolidated district, and the board constituted as hereinbefore provided shall serve until the next annual meeting for the election of members of Boards of Education, and the terms of office of the remaining members of the Board of Education of each of said districts so consolidated shall thereupon cease and determine. At said annual meeting a Board of Education shall be elected as provided for the election of members of Boards of Education in new township school districts.

Proviso.

114. (105.) The Board of Education of such consolidated district shall be a body corporate and shall have all the powers and duties and be subject to the same restrictions as a Board of Education in a township school district, and shall be known as and called "the Board of Education of the _____ of _____" (here insert the name of the municipality in which was situate that district consolidated as aforesaid which had the larger amount of taxable property as ascertained from the last published report of the State Comptroller), in the county of _____." (a)

Powers and duties of board. Ibid.

115. (1.) Whenever in this State any township, incorporated town or borough school district has heretofore been consolidated with an adjoining township, incorporated town or borough school district, by an election of the legal voters of said township, incorporated town

Districts which voted to consolidate prior to October, 1903, to continue as consolidated districts. P. L. 1904, Chap. 11.

(a) The fact that the teacher was employed by the trustees of a district which was subsequently consolidated with another district will not bar his right to recover, the new district having become entitled to all the property, rights and assets of, and liable for all just claims against both districts. *Sproul v. Smith*, 11 Vr. 314.

or borough school districts, so that at the time of the passage of the act to which this act is a supplement the same formed one combined or consolidated school district, and the legal voters of said district have not, since said time, rejected a proposition to confirm or continue such consolidation at an election called for that purpose, and said district has been, since the passage of said act, maintained and governed as one consolidated school district, such district shall hereafter continue to exist as a single consolidated school district in the same manner as though the said act had not been passed, and in the same manner as though said consolidated school district had been erected by an election of the legal voters of said district held in pursuance of section one hundred and three of said act. (a)

116. (1.) Where any school district of this State shall prior to the passage of the act to which this is a supplement, have issued bonds for the erection of a graded or high school building therein, and at the time of the issuing of such bonds and the erection of such building, such district shall have comprised the territory of two adjoining municipalities, the voters of which shall have joined or participated in the election authorizing the issue of the bonds of such district for such purpose, and such district shall have at the time of the passage of said act been governed as a consolidated district, such school district shall continue to be governed as a consolidated district in the same manner as though such consolidation had been effected in the manner provided by the act to which this is a supplement, and the bonds so as aforesaid

Consolidated districts which issued bonds prior to October, 1903, to continue as consolidated districts. P. L. 1904, Chap. 139.

(a) 1. The act of March 4th, 1904, which declares certain consolidated school district then existing *de facto* should continue to exist as consolidated school districts, notwithstanding provisions to the contrary in the General School law, is not unconstitutional, even though special and local, it being in effect an act merely for establishing school districts, and not an act regulating and governing them, nor providing for the management and support of the free public schools therein. *Howe v. Board of Education*, 43 Vt. 158.

2. The legislature may, by special act, create school districts, leaving their government and the maintenance and support of the public schools therein to be regulated by general laws enacted in that behalf. *Ibid.*

issued shall be deemed to have been and shall continue to be a lien upon the inhabitants and property of the municipalities comprising such school district at the time of the issue thereof, notwithstanding the passage of the act to which this is a supplement.

ARTICLE VIII.

TEACHERS.

117. (106.) A Board of Education may make rules and regulations governing the engagement and employment of teachers and principals, the terms and tenure of such employment, and the promotion and dismissal of such teachers and principals, the salaries, and the time and mode of payment thereof, and may from time to time change, amend or repeal such rules and regulations. The employment of any teacher by such board, and the rights and duties of such teacher with respect to such employment, shall be dependent upon and shall be governed by the rules and regulations in force with reference thereto. If a Board of Education shall not have made rules and regulations as aforesaid, then no contract between such Board of Education and a teacher shall be valid unless the same be in writing, or partly written and partly printed, in triplicate, signed by the president and district clerk or secretary of the Board of Education and by the teacher. One copy thereof shall be filed with the Board of Education, one copy with the teacher and one copy with the County or City Superintendent. Such contract shall specify the date when such teacher shall begin teaching, the kind and grade of certificate held by said teacher, and the date when said certificate will expire, the salary, and such other matter as may be necessary to a full and complete understanding of the same. In every such contract, unless otherwise specified, a month shall be construed and taken to be twenty school days or four weeks of five

Rules for
employment
of teachers.
P. L. 1903,
Special
session.

Contract
with teacher.

School
month.

school days each. The salary specified in every such contract shall be paid in equal monthly installments, not later than five days after the close of each month while the school shall be in session. Any contract or engagement between a Board of Education and a teacher shall cease and determine and be of no effect against said board whenever said board shall ascertain by notice in writing received from the County or City Superintendent, or otherwise, that said teacher is not in possession of a proper teacher's certificate in full force and effect, notwithstanding the term or engagement for which such contract shall have been made may not then have expired. The Commissioner of Education shall prepare and distribute blanks for contracts between Boards of Education and teachers. (a)

Dismissal of
teacher.
Ibid.

118. (107.) In case the dismissal of any teacher before the expiration of any contract entered into between such teacher and a Board of Education shall, upon appeal, be decided to have been without good cause, such teacher shall be entitled to compensation for the full term for which said contract shall have been made; but it shall be optional with the Board of Education whether such teacher shall or shall not teach for the unexpired term. (b)

(a) The employment of teachers by school corporations is an act judicial in its character, and should be done at a meeting of the trustees of which all should have notice, and in which all have an opportunity to participate. *Townsend v. School Trustees*, 12 Vr. 312.

(b) 1. A school teacher who has rendered services according to the requirements of the School law, and is refused compensation out of the fund specially provided for that purpose, is entitled to a *mandamus* to compel the proper officers to perform their duty, and to make payment of what is justly due. *Appar v. School Trustees*, 5 Vr. 308.

2. In an action brought by a teacher to recover of the trustees of a school district for services as a teacher, an objection that the plaintiff was not the holder of a proper teacher's certificate in full force and effect cannot be made after the evidence is closed and the cause is being summed up. *Sprout v. Smith*, 11 Vr. 314.

3. A school teacher who has litigated successfully before the State Superintendent the controverted questions upon which her right to compensation depends is entitled to a writ of *mandamus* to enforce a decision in her favor. *Thompson v. Board of Education*, 28 Vr. 628.

4. In such a case the only burden upon the relator is to show that the jurisdiction of the State Superintendent extended over the parties in controversy.

5. See foot-notes to sections 15 and 114.

6. See section 127.

119. (108.) If a teacher employed by a Board of Education shall leave the school before the expiration of the term of his or her employment, without the consent of the Board of Education, said teacher shall be deemed guilty of unprofessional conduct, and the Commissioner of Education is authorized, upon receiving notice of such fact, to suspend the certificate of such teacher for a period not exceeding one year.

Penalty for teacher leaving before completion of contract. Ibid.

120. (109.) Every teacher in a public school shall keep a school register in the manner provided therefor, and no salary shall be paid to such teacher until the district clerk or other officer or person authorized to deliver the check, order or warrant for such salary shall ascertain that such register has been properly kept for the time for which salary is demanded, and shall enter upon said register a certificate to that effect. The check, order or warrant for the balance of salary due any teacher at the time of closing the school for the summer vacation, or of leaving the school before the end of the school year, shall not be delivered to such teacher until the district clerk or other officer authorized to deliver such check, order or warrant shall have received written notice from the County or City Superintendent that such teacher has filed with him his or her annual report on the blank furnished for that purpose by the Commissioner of Education; *provided*, that in any school in which more than one teacher shall be employed the principal thereof shall furnish such report.

Keeping school register. Ibid.

Proviso.

121. (110.) No teacher shall be required to teach school on any day declared by law to be a public holiday, and no deduction from a teacher's salary shall be made by reason of the fact that a school day happens to be a day declared by law to be a public holiday. Any contract made in violation of this section shall have no force or effect as against a teacher.

Observation of holidays. Ibid.

122. (111.) A teacher shall hold every pupil accountable in school for disorderly conduct on the way to or from school, or on the playgrounds of the school, or

Authority over pupils. Ibid.

Proviso.

during recess, and shall suspend from school any pupil for good cause; *provided*, that such suspension shall be reported forthwith by the teacher to the Board of Education; *provided further*, that in any school in which more than one teacher shall be employed the principal alone shall have the power to suspend a pupil.

Corporal
punishment
forbidden.
Ibid.

123. (112.) No principal, teacher or other person employed or engaged in any capacity in any school or educational institution, whether public or private, shall inflict or cause to be inflicted corporal punishment upon any pupil attending such school or institution, and every resolution, by-law, rule, ordinance or other act of authority heretofore or hereafter passed, adopted, approved, made or given by any person or persons whomsoever, natural or artificial, permitting or authorizing corporal punishment to be inflicted upon any pupil attending or that may attend any school or educational institution shall be henceforth void and of no force or effect.

Certificate
necessary.
Ibid.

124. (113.) No teacher shall be entitled to any salary unless such teacher shall be the holder of an appropriate teacher's certificate. (a)

Religious
exercises.
Ibid.

125. (114.) No religious service or exercise, except the reading of the Bible and the repeating of the Lord's Prayer, shall be held in any school receiving any portion of the moneys appropriated for the support of public schools.

Exemption
from jury
duty.
Ibid.

126. (115.) No teacher shall be required to serve on any jury in this State while his school be in session.

Tenure per-
manent after
three years.
P. L. 1909,
Chap. 243.

127. (1.) The service of all teachers, principals, supervising principals of the public schools in any school district of this State shall be during good behavior and efficiency, after the expiration of a period of employment of three consecutive years in that district, unless a shorter period is fixed by the employing board; *provided*, that the time any teacher, principal, supervising principal has taught in the district in which he or

Proviso.

she is employed at the time this act shall go into effect, shall be counted in determining such period of employment. No principal or teacher shall be dismissed or subjected to reduction of salary in said school district except for inefficiency, incapacity, conduct unbecoming a teacher or other just cause, and after a written charge of the cause or causes shall have been preferred against him or her, signed by the person or persons making the same, and filed with the secretary or clerk of the Board of Education having charge of the school in which the service is being rendered, and after the charge shall have been examined into and found true in fact by said Board of Education, upon reasonable notice to the person charged, who may be represented by counsel at the hearing. Charges may be filed by any person, whether a member of said school board or not.

As to charges
or reduction
of salary.

Hearing.

128. (2.) Said Board of Education shall have power to issue writs of subpoena on behalf of either party to compel attendance of witnesses to testify before said board in the matter under investigation, which subpoena shall be issued under the seal of said board and be signed by the secretary or clerk thereof, and shall be served in the same manner as subpoenas issued out of the courts of common pleas of this State, and every person who refuses or neglects to obey the command of such a writ, or, who, after appearing, refuses to be sworn and testify, shall in either event be liable to a penalty of fifty dollars, to be sued for in the name of said board in any court of competent jurisdiction, which penalty when collected shall be paid to the treasurer or custodian of moneys of said board. Any member of said board is hereby authorized to administer oaths to such witnesses as may appear or be brought before it, and any person who shall have been so sworn and who shall testify falsely, shall be guilty of perjury.

Compel
witness by
subpoenas.
Ibid.

Penalty.

Oaths.

129. (3.) Nothing herein contained shall be held to limit the right of any school board to reduce the num-

Dismiss
teachers if
pupils
decrease.
Ibid.

Proviso.

ber of principals or teachers employed in any school district when such reduction shall be due to a natural diminution of the number of pupils in said school district; *and provided further*, that the service of any principal or teacher may be terminated without charge or trial who is not the holder of a proper teacher's certificate in full force and effect.

Pension for
teachers.
P. L. 1911,
Chap. 276.

130. (1.) Any teacher, principal or superintendent who shall have been employed in the public school system of this State or any other State not less than thirty-five years shall, upon application to the Board of Education or other body, or by which such teacher, principal or superintendent shall be employed, be retired from duty on half the average annual salary during the last five years of service; *provided*, such teacher, principal or superintendent shall have been employed at least twenty years by the Board of Education or other body by which he or she shall be retired, and the payment to such persons shall be made at the same time and in the same manner as to teachers regularly employed. (a)

Proviso.

ARTICLE IX.

PUPILS.

Schools free.
Age.
P. L. 1903,
Special
session.
Tuition fees
in certain
cases.

131. (116.) Public schools shall be free to all persons over five and under twenty years of age who shall be residents of the school district. (b) Non-residents of a school district, if otherwise competent, may be admitted to the schools of said district with the consent of the Board of Education upon such terms as said board

(a) Although a teacher in the public schools is retired under without having a hearing, the proceedings will not be set aside on certiorari when the facts on which the retirement was based are conceded. *Vroom v. Bayonne*, 50 Vr. 46.

(b) The provision of article 4, section 7, paragraph 6, of the State constitution is not a limitation of legislative power over the subject of free public education. It prescribes what must be done with the school fund, not what may be done at public expense out of the general funds of the State. The facilities for free public education are to be provided by the legislature within the exercise of a sound discretion, subject only to constitutional restraint which must be found in expression or clear implication. *Rutgers College v. Morgan*, 41 Vr. 460.

may prescribe; *provided*, that the authority to charge tuition for non-resident pupils conferred by this section shall not apply to non-resident pupils transferred to any district by an order of the County Superintendent of Schools. (a) Proviso.

132. (117.) Whenever in any district there shall be children living remote from the schoolhouse, the Board of Education of such district may make rules and contracts for the transportation of such children to and from school. Nothing in this section shall be so construed as to prohibit a Board of Education from making contracts for the transportation of children to a school in an adjoining district when such children shall be transferred to said district by order of the County Superintendent of Schools, or when any children shall attend school in a district other than that in which they shall reside by virtue of an agreement made by the respective Boards of Education. Transportation
of pupils.
Ibid.

133. (118.) Any child living remote from any public school in the district in which he or she shall reside shall be allowed to attend a public school in an adjoining district with the consent of the County Superintendent of Schools, which consent shall be in writing, and one copy thereof filed with the district clerk or secretary of the Board of Education of the district in which such child shall reside, and one copy filed with the district clerk or secretary of the Board of Education of the district in which such child shall attend school; and in case the districts shall not be in the same county, the written consent of the County Superintendent of Schools of each county shall be obtained. Transfer of
children
remote from
school.
Ibid.

134. (119.) Any child who shall have completed the course of study pursued in the schools in the district in which he or she shall reside may, with the consent of the Board of Education of said district and of the Board of Education of a district in which he or she shall desire Tuition fees
for attend-
ance at
higher grade
school in
another
district.
Ibid.

(a) See section 3, div. XI.

to attend school, be admitted to a school of higher grade in said last-mentioned district. Said Boards of Education shall determine the amount to be paid for the education of such child, and the Board of Education of the district in which such child shall reside shall issue an order for said amount, signed by the president and district clerk or secretary of the Board of Education, in favor of the custodian of the school moneys of the school district in which such child shall attend school, which order shall be paid by the custodian of the school moneys of the first-mentioned district out of any moneys in his hands available for the current expenses of said district. (a)

Pupils to submit to authority of teacher.
Ibid.

Parents liable for pupil's damage to school property.

Vaccination.
P. L. 1906,
Chap. 104.

Proviso.

135. (120.) Pupils in the public schools shall comply with the regulations established in pursuance of law for the government of such schools; shall pursue the prescribed course of study, and shall submit to the authority of the teacher. Continued and willful disobedience, open defiance of the authority of the teacher, the use of habitual profanity or obscene language shall be good cause for suspension or expulsion from school. Any pupil who shall cut, deface or otherwise injure any schoolhouse, furniture, fences, outbuildings or other property of the school district shall be liable to suspension and punishment, and the parents or guardians of such pupil shall be liable for damages to the amount of the injury; said amount to be collected by the Board of Education in any court having jurisdiction, together with the costs of said action.

136. (121.) A board of education may exclude from school any teacher or pupil who shall not have been successfully vaccinated or revaccinated, unless such teacher or pupil shall present a certificate signed by a regularly licensed physician that such teacher or pupil is an unfit subject for vaccination; *provided*, that in any district having a medical inspector appointed by the Board of

(a) See section 3, div. XI.

Education the certificate hereinafter provided for shall be furnished by such medical inspector. (a) No teacher or pupil who shall be a member of a household in which a person shall be ill with small-pox, diphtheria, scarlet fever, whooping cough, yellow fever, typhus fever, cholera, measles or such other contagious or infectious disease as may be designated by the Board of Education, or of a household exposed to contagion as aforesaid, shall attend any public school during such illness, nor until the Board of Education shall have been furnished with a certificate from the Board of Health, or from the physician attending such person, or from a medical inspector, certifying that all danger of communicating such disease by such teacher or pupil has passed.

Teachers or pupils exposed to contagious disease shall not attend school.

137. (122.) In case any pupil enrolled in a public school shall be found to be unvaccinated, whose parents shall be, in the judgment of the Board of Education, unable to pay for the vaccination of such pupil, the district clerk or secretary of the Board of Education may give to said pupil a permit to appear before any regularly licensed physician to be vaccinated, and such physician, on presenting said permit with his certificate appended thereto that the vaccination has been by him successfully performed, shall receive from the township, city, incorporated town, borough or other municipality in which said pupil shall reside the sum of fifty cents.

Vaccination at public expense. P. L., 1903, Special session.

138. (123.) Whenever the Board of Health of any township, city, incorporated town, borough or other municipality shall declare any epidemic or cause of ill-health to be so injurious or hazardous as to make it necessary to close any or all of the public schools in such township, city, incorporated town, borough or other municipality, said board shall immediately serve notice on the Board of Education of the school district situate in said town-

Schools closed during epidemic. Ibid.

(a) The appointment of medical inspectors being mandatory, the certificate must be furnished by such inspector.

ship, city, incorporated town, borough or other municipality that it is desirable to close said school or schools. Upon receipt of such notice such Board of Education may close the schools under its control, or such of them as may be designated by the Board of Health, and said schools shall not be reopened until said Board of Education shall be satisfied that all danger from said epidemic or cause of ill-health has been removed.

When new pupils may be admitted. Ibid.

139. (124.) Children who shall have never attended any public or private school may be admitted to a public school during the ten days immediately following the opening of said school for the fall term, during the first five days in January and April respectively, and at no other time except by a majority vote of all the members of the Board of Education of the school district in which said school shall be situate.

No exclusion from school on account of color, etc. Ibid.

140. (125.) No child between the age of four and twenty years shall be excluded from any public school on account of his or her religion, nationality or color. A member of any Board of Education who shall vote to exclude from any public school any such child, on account of his or her religion, nationality or color shall be guilty of a misdemeanor, and punished by a fine of not less than fifty dollars nor more than two hundred and fifty dollars, or by imprisonment in the county jail, workhouse or penitentiary of the county in which the offence shall have been committed, for not less than thirty days nor more than six months, or by both fine and imprisonment in the discretion of the court. (a)

Special classes for pupils below normal. P. L. 1911, Chap. 234.

141. (1.) Each Board of Education in this State shall ascertain what children, if any, there are in the public schools who are three years or more below the normal.

(a) 1. It is unlawful for school trustees to exclude children from any school on the ground that they are of the negro race. *Pierce v. Union District, &c.*, 17 Vr. 76.

2. In case of a controversy between a citizen and a local board of education respecting the public school to which the children of the citizen should be assigned, all remedies provided by the School law must be exhausted by the citizen before the prerogative writs of the state are awarded to him. *Stockton v. Board of Education, &c.*, 43 Vr. 80.

In each school district in this State in which there are ten or more children, three years or more below the normal, the Board of Education thereof shall establish a special class or classes for their instruction, no class, however, to contain more than fifteen children. In each school district in this State where there are ten or more blind or deaf children who are not now cared for or who cannot be cared for in an institution, a special class or classes shall be organized for their education, no such class, however, to contain more than fifteen pupils. Such classes shall be discontinued when proper provision is made for the care and education of such blind and deaf children by the State. The medical examiner of the district shall examine the children in special classes at least once in every three months. (a)

Duty of
medical
examiner.

ARTICLE X.

SCHOOLHOUSES, FACILITIES AND ACCOMMODATIONS.

142. (126.) Each school district shall provide suitable school facilities and accommodations for all children residing in the district and desiring to attend the public schools therein. Such facilities and accommodations shall include proper school buildings, together with furniture and equipment, convenience of access thereto, and courses of study suited to the ages and attainments of all pupils between the ages of five and twenty years. Such facilities and accommodations may be provided either in schools within the district convenient of access to the pupils or as provided in sections one hundred and seventeen, one hundred and eighteen and one hundred and nineteen of the act to which this act is an amendment. Whenever any school district shall fail to provide such facilities or accommodations, the County Superintendent of Schools shall transmit to the

Suitable accommodations must be furnished.
P. L. 1907.
Chap. 123.

School moneys withheld upon failure to comply.

(a) See section 251.

custodian of the school moneys of the school district an order directing him to withhold from such district all moneys in his hands, or which shall thereafter come into his hands, to the credit of such school district received from the State appropriation or from the State school tax until such suitable facilities or accommodations shall be provided, and shall notify the Board of Education of such district of his action with the reasons therefor. Such order shall not take effect until approved in writing by the Commissioner of Education, and said approval shall state when said order shall take effect.

Out-houses
P. L. 1903.
Special
session.

143. (127.) Each Board of Education shall provide at least two suitable and convenient outhouses or water-closets for each of the schoolhouses under its control. Said outhouses or water-closets shall be entirely separated each from the other and shall have separate means of access. Said outhouses and said water-closets, if detached from the schoolhouse, shall be separated by a substantial close fence not less than seven feet in height. The Board of Education shall have said outhouses and water-closets kept in a clean and wholesome condition. The question of raising the amount needed to carry into effect the provisions of this section shall not be submitted to the legal voters of the school district, but the Board of Education shall notify the assessor or assessors and collector, by notice signed by the president and district clerk or secretary, of the amount needed for such purpose, and such amount shall be assessed, levied and collected at the same time and in the same manner as other special school taxes are assessed, levied and collected.

Tax for.

Plans for
school build-
ings.
P. L. 1911,
Chap. 369.

144. (128.) The Commissioner of Charities and Corrections shall, upon the request of the Commissioner of Education, cause to be prepared standard plans and specifications for school buildings to contain one, two, four, six, eight, twelve, sixteen, twenty and twenty-four rooms. The Commissioner of Education shall, upon receipt of such plans and specifications, cause blueprints

to be made of the plans, and shall have printed copies of the specifications and shall loan copies to any district upon its application. The Commissioner of Charities and Corrections shall also, upon the request of the Commissioner of Education, cause to be made a thorough examination of any school building and to report to the Commissioner of Education his findings in regard thereto. The Commissioner of Education may direct the entire or partial abandonment of any building used for school purposes and may direct the making of such changes therein as to him may seem proper.

Examination
of school
buildings.

145. (129.) No contract for the erection of any public school building or any part thereof shall be made until and after plans and specifications therefor have been submitted to and approved by the State Board of Education. A copy of the plans and specifications as approved shall be filed forthwith with the State Board of Education. A copy of the contracts for the erection of the whole or any part of the school building and for the furnishing thereof shall be filed with the State Board of Education within ten days after the same have been signed. No change in the plans or specifications shall be legal unless the same have been submitted to and approved by the State Board of Education. A copy of all changes as approved shall be filed forthwith with the said board.

Approval of
plans and
contracts.
Ibid.

146. (130.) In any schoolhouse of two or more stories in height, the doors leading from the classrooms to the corridors and from said corridors to the street or to the ground surrounding such schoolhouse shall open outwardly. All swing-doors shall have plate-glass windows of suitable dimensions.

Doors to
open
outwardly.
P. L. 1903,
Special
session.

147. (1.) Whenever any of the school buildings and furnishings thereof in any school district shall have been partially or totally destroyed by fire, the moneys received by the Board of Education for insurance on said building and furnishings and contents thereof may be paid out by the custodian of the school moneys of the district for the repairing, reconstruction or rebuilding of

Use of
insurance
moneys.
P. L. 1911,
Chap. 34.

Proviso. said building and the purchase and repairing of the furnishings and contents thereof; *provided*, that insurance money shall not be used by the Board of Education, without the authority of the appropriating power, for a building to be erected on a site other than that occupied by the building destroyed by fire; and *provided further*, that the Board of Education shall not enter into a contract for the construction of a building to cost more than the amount of insurance money received until the additional amount required has been regularly appropriated.

Proviso.

ARTICE XI.

UNION-GRADED SCHOOLS.

Establishment of union-graded schools.
P. L. 1903, Special session.

Election, how conducted.

Report to county superintendent.

148. (132.) Whenever the Boards of Education of two or more adjoining school districts shall deem it for the best interests of the children that said districts shall unite in establishing and maintaining a union-graded school, each of said boards shall cause its secretary or district clerk to insert in the notices calling any annual or special meeting of the legal voters, a notice that the question of establishing such union-graded school will be submitted at such meeting. The legal voters shall vote by ballot, and at any such meeting the secretary thereof shall keep a poll-list of the legal voters voting on such question, and a tally-sheet of the ballots as counted by the tellers. Said ballots, poll-list and tally-sheet, which tally-sheet shall be signed by the chairman of the meeting and by said secretary, shall be, by said secretary, within five days after the date of said meeting, transmitted to the County Superintendent of Schools in a sealed package indorsed with the name of the district, of the county in which it shall be situate, and the date of the meeting. Said secretary shall also transmit to said County Superintendent of Schools a certificate of the result of such vote signed by said chairman and secretary. In case the

districts shall be situate in different counties, said secretary shall transmit the ballots and other papers hereinbefore described to the County Superintendent of Schools of the county in which the district shall be situate, and shall transmit a duplicate of the certificate of the result of such vote to the County Superintendent of Schools of the county in which the other district or districts shall be situate. If the County Superintendent of Schools shall ascertain from such certificates that the total number of votes cast in each of said districts in favor of establishing such union-graded school exceeds the total number of votes cast in each district against the same, he shall immediately notify each of the Boards of Education of the result of such vote.

149. (133.) Whenever two or more districts shall have voted to establish a union-graded school as provided in the preceding section, the Board of Education of such union-graded school shall be constituted as follows:

Union school
boards, how
constituted.
Ibid.

I. If two districts shall unite for the purpose aforesaid, the Board of Education of each of said districts shall appoint two of its members as members of the Board of Education of such union-graded school;

II. If three or more districts shall unite for the purpose aforesaid, the Board of Education of each of said districts shall appoint one of its members as aforesaid.

150. (134.) Each board of education shall notify the County Superintendent of Schools of the names of the persons so appointed as aforesaid, and the persons so appointed shall continue to be members of the Board of Education of such union-graded school until the second Tuesday in April next after their terms of office as members of their respective boards of education shall have expired, and their successors shall be appointed on or before the first day of April in like manner and for a like term. The members so appointed as aforesaid shall continue to act as members of the boards of education in their respective districts.

Notification
to county su-
perintendent.
Ibid.

Removals and
vacancies.
Ibid.

151. (135.) A member of a board of education of a union-graded school or the president or secretary thereof, may be removed in the same manner as is provided in this act for the removal of an officer or member of a board of education. Any vacancy in such board shall be filled by the board of education of the district which by reason of such vacancy has not its full representation on the board of education of such union-graded school.

Corporate
name.
Ibid.

152. (136.) Each board of education appointed as provided in this article shall be a body corporate, and shall be known as and called "the board of education of the union-graded school of the school districts of——— and———(here insert the names of the districts), in the county of———" (here insert the name of the county in which the schoolhouse shall be located).

Organization
of board of
education.
Ibid.

153. (137.) The Board of Education of each union-graded school shall forthwith, after its first appointment, organize by the election of one of its members as president and a secretary, who shall serve until the second Tuesday in April next after their election, on which day and annually thereafter said board shall organize by the election of the officers aforesaid. Said board shall appoint a suitable person as custodian of school moneys of said union-graded school and shall fix his salary and term of office. Said custodian shall have the powers and be charged with the duties conferred or imposed by this act upon custodians of school moneys of school districts, and shall give such bond in such amount and with such sureties as said board shall direct, but said bond shall be for a sum not less than the amount annually apportioned to such school by the County Superintendent of Schools.

Custodian
of school
moneys.

154. (138.) The Board of Education of a union-graded school shall have power:

Powers of
union-graded
school boards.
Ibid.

Purchase,
sell or lease
school
property.

I. To purchase, sell and improve school grounds, to erect, lease, enlarge, improve, repair or furnish school buildings; to borrow money with or without mortgage

and to raise money by taxation for any such purpose, or to pay debts incurred therefor, or for the current expenses of the schools; *provided*, that for any such acts it shall have the previous authority of a majority vote of the Board of Education of each of the districts uniting in establishing said union-graded school;

Proviso.

II. To take and condemn land and other property for school purposes, in the manner provided by law regulating the ascertainment and payment of compensation for property condemned and taken for public use. If either party shall feel aggrieved by any proceedings and awards thereunder, said party may appeal in the manner provided by law for appeals from such proceedings and awards; *provided*, that before beginning any proceedings for taking and condemning land and other property, the Board of Education shall have the authority of a majority vote of the Board of Education of each of the districts uniting in establishing said union-graded school;

Condemn land for school purposes.

Proviso.

III. To determine, subject to the approval of a majority of the Board of Education of each of the districts uniting in establishing such union-graded school, the amount needed to purchase land for school purposes; to erect and furnish a suitable schoolhouse, or to lease a schoolhouse already erected, and for the current expenses of such school, in which term shall be included principals', teachers', janitors' and medical inspectors' salaries, fuel, text-books, school supplies, flags, school libraries, salaries of secretary and cutodian of school moneys, insurance and the incidental expenses of such school. The amount of money thus determined shall be certified by the secretary of said board to the assessors of the several taxing districts in which the school districts uniting as afore-said shall be situate, and said assessors shall apportion said amount among said several taxing districts in the proportion that the ratables of each bear

Appropriations for union-graded schools.

to the total ratables of all said taxing districts, and the amount thus apportioned to each taxing district shall be assessed, levied and collected in the same manner and at the same time as other school taxes shall be assessed, levied and collected therein, and shall be paid by the several collectors to the custodian of school moneys of such union-graded school on or before the fifth day of January next after the same shall become due and payable to said several collectors;

Seal.

IV. To adopt an official seal by which all its official acts may be authenticated;

Supervising principal.

V. To appoint a supervising principal and fix his salary, which principal shall be also the supervising principal of the schools in the district uniting in establishing such union-graded school. Such supervising principal shall hold a state or a first-grade county certificate.

Apportionment of moneys in union school districts.
Ibid.

155. (139.) In making the annual apportionment of school moneys, the County Superintendent of Schools shall make an apportionment to such union-graded school on the same basis and in the same manner as to the school district in the county in which such union-graded school shall be situate. If the districts which shall have united in establishing such union-graded school shall be situate in different counties, the County Superintendent of Schools of each of such counties, in making his annual apportionment of school moneys, shall apportion to such union-graded school three hundred dollars for the supervising principal and one hundred dollars for each teacher employed therein during the year preceding that for which said apportionment shall be made, and in addition thereto shall apportion an additional sum on the basis of the aggregate days attendance of all pupils, residents of such county, who shall have attended such union-graded school during the year preceding that for which said apportionment shall be made.

156. (140.) The board of education of a union-graded school shall have all the powers and be charged with all the duties conferred or imposed upon a board of education in a township school district, so far as the same are not inconsistent with the provisions of this article.

Powers and
duties of
board.
Ibid.

157. (141.) Each union-graded school shall be under the supervision and control of the County Superintendent of Schools of the county in which the school-house shall be situate.

Supervision.
Ibid.

158. (142.) In case a board of education of a union-graded school shall decide that it is necessary to raise money to purchase land for school purposes, and for the erection and furnishing of a school-house or for the purchase thereof by the issue of bonds, it shall notify the board of education of each of the districts which shall have united in establishing such union-graded school, of the amount needed, the number of bonds to be issued, the denomination of such bonds, the maximum rate of interest thereon, and the time or times of payment. Each of such boards, upon receiving such notification, shall forthwith call a meeting of the legal voters of its district, and shall submit to said meeting the question of issuing such bonds as proposed by the board of education of such union-graded school, and the district clerk of the board of education of each of said districts shall transmit to the board of education of such union-graded school certified copies of the record of the proceedings of the board of education and of the legal voters of said district thereon. If from said certified copies it shall appear that a majority of the legal voters present at such meeting in each of said districts, shall have voted in favor of the issue of such bonds, the secretary of the board of education of such union-graded school shall transmit such certified copies, together with certified copies of the record of the proceedings of the board of education of such union-

Bonds for
school-houses.
Ibid.

Question
submitted to
voters.

Approval of
attorney-
general.

graded school concerning the issue of such bonds, to the Attorney-General for his approval of the legality of all said proceedings, and shall file duplicate certified copies of the record of all such proceedings with the Commissioner of Education, and, upon the approval thereof by the Attorney-General, said bonds may be issued and sold by said board.

Description
of bonds.
Ibid.

159. (143.) Bonds authorized as provided in this article shall be issued in the corporate name of the board of education of the union-graded school; shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually; shall be signed by the president of said board and attested by the secretary; shall bear the seal of said board, and shall have coupons attached for current payment of interest, which coupons shall be signed by the secretary, and shall be numbered to correspond to the bonds to which they shall be severally attached. Bonds so issued shall be numbered and a proper registry thereof kept by the secretary, and may be sold at public or private sale for the best obtainable price, but not less than par. Such bonds when issued shall be a lien upon the real estate situate in each of the districts which shall have united in establishing such union-graded school, and the personal estates of the inhabitants of each of said districts, as well as the property of each of said districts, and said estates and property shall be liable for the payment of the same.

Provision for
interest and
redemption
of bonds.
Ibid.

160. (144.) Whenever bonds shall have been issued by the board of education of a union-graded school, the secretary of such board shall, each and every year, certify to the assessors of the several taxing districts in which the several school districts which shall have united in establishing such union-graded school shall be situate, the amount which shall become due during such year for principal and interest of such bonds. The amount so certified shall be apportioned and assessed by said assessors in the same manner and in the same

proportion as taxes for the current expenses of such union-graded school shall be apportioned and assessed, and the moneys so assessed shall be levied and collected by the collectors of the several taxing districts, and the said collectors shall, on or before the fifth day of January next thereafter, pay the full amount so ordered to be assessed, levied and collected to the custodian of the school moneys of said union-graded school, who shall, upon receipt of the orders of said board of education (which orders shall state at what bank said principal and interest are payable), deposit in such bank the sum of money necessary to pay said principal and interest as they shall become due and payable.

ARTICLE XII.

KINDERGARTENS.

161. (145.) The board of education of any school district may establish a kindergarten school or a kindergarten department in any school under its control, and shall admit to such kindergarten school or department any child over the age of four and under the age of seven years who shall be a resident of the district; *provided*, that no child under the age of five years shall be admitted to any public school unless such school shall be a regularly organized kindergarten school or shall have a kindergarten department.

Ages of
pupils in kin-
dergartens.
Ibid.

Proviso.

162. (146.) Every teacher in a kindergarten school or department shall hold a special kindergarten certificate, issued by the State Board of Examiners.

Teachers
in kinder-
gartens must
hold special
certificate.
Ibid.

163. (147.) The expense of kindergarten schools or departments shall be paid out of any moneys available for the current expenses of the schools, and in the same manner and under the same restrictions as the expenses of the other schools or departments shall be paid.

Expenses.
Ibid.

ARTICLE XIII.

EVENING SCHOOLS.

Ages of
pupils in
night schools.
Ibid.

Term.

Expenses.
Ibid.

Evening
schools for
foreign-born
residents.
P. L. 1907,
Chap. 36.

Teachers.

Rules and
regulations.

Course of
study.

Appropriation.
Ibid.

164. (148.) The board of education of any school district may establish and maintain public evening schools for the instruction of persons over twelve years of age residents of the district, and unless such evening schools shall be maintained for a term of not less than four months in each year, each of said months to consist of at least sixteen evening sessions of at least two hours each, said district shall not be entitled to any apportionment on the basis of the number of teachers employed in such schools during the year preceding that for which the apportionment shall be made.

165. (149.) The expenses of evening schools shall be paid out of any moneys available for the current expenses of the schools, and in the same manner and under the same restrictions as the expenses of day schools shall be paid.

166. (1.) The board of education of any school district may establish and maintain a public evening school or evening schools for the instruction of foreign-born residents of said district, over fourteen years of age, in the English language and in the form of government and the laws of this State and of the United States. Every teacher employed in such a school shall hold a special teacher's certificate, valid as a license to teach in such schools. The State Board of Education shall prescribe rules for the proper control and management of such schools, for the inspection thereof, for the granting of certificates to teach therein, and for carrying into effect the purposes of this act. The course of study in each of such schools and any changes therein shall be submitted to and shall be approved by the State Board of Education.

167. (2.) Whenever in any school district there shall have been raised by special appropriation or special tax,

or by subscription, or both, such sum as, in the judgment of the State Board of Education, shall be sufficient for the maintenance in such district of an evening school or schools as aforesaid, there shall be paid for such purpose to the custodian of the school moneys of said district, on the order of the Commissioner of Education, an amount equal to that raised therein as aforesaid, which amount shall be paid by the State Treasurer on the warrant of the State Comptroller; *provided*, said order shall not be issued until the course of study in such school or schools or any changes therein shall have been approved by the State Board of Education. The moneys appropriated by the State as aforesaid to any school district shall not exceed in any year the sum of five thousand dollars. The custodian of the school moneys of the school district shall be the legal custodian of any and all funds appropriated, raised or subscribed for the maintenance of such evening schools. He shall keep a separate and distinct account thereof, and shall disburse said moneys on orders signed by the president and district clerk or secretary of the board of education.

Proviso.

Limit to state appropriation.

Custodian of school moneys.

168. (3.) The board of education of any school district receiving an appropriation from the State for the purpose mentioned in this act shall annually, on or before the first day of August, make a special report to the Commissioner of Education in the manner and form prescribed by him.

Special report to Commissioner of Education.
Ibid.

169. (4.) The State Board of Education may, from time to time, appoint suitable persons to assist in carrying out the provisions of this act and to encourage the establishment of such evening schools. The persons so appointed shall receive no compensation for their services, but shall be paid the necessary expenses incurred by them under the provisions of this act.

Assistance.
Ibid.

170. (5.) The expenses incurred in carrying out the provisions of this act shall be paid by the State Treasurer on the warrant of the State Comptroller, but no expense shall be incurred nor payment made for any of

Expenses incurred met.
Ibid.

the purposes named in this act until an appropriation therefor shall have been made in a regular appropriation bill.

ARTICLE XIV.

TEXT-BOOKS AND SUPPLIES.

Free
text-books.
P. L. 1903,
Special
session.

171. (150.) Text-books and school supplies shall be furnished free of cost for use by all pupils in the public schools. Every school district shall raise and appropriate annually in the same manner as other school moneys shall be raised and appropriated in such district an amount sufficient to pay for such text-books and supplies.

Rules for
text-books.
Ibid.

172. (151.) Every board of education shall make rules for safekeeping and proper care of text-books, and shall keep an account of all moneys expended by it for such text-books and supplies, and shall report the same in its annual financial statement.

School
officers and
teachers not
to be
interested in
furnishing
text-books.
Ibid.

173. (152.) It shall be unlawful for any County Superintendent of Schools, member of a board of education, teacher or any person officially connected with the public schools to be agent for, or to be in any way pecuniarily or beneficially interested in the sale of any text-books, maps, charts, school apparatus or supplies of any kind or to receive compensation or reward of any kind for any such sale or for unlawfully promoting or favoring the same. A violation of the provisions of this section shall be punishable by removal from office or by revocation of certificate to teach.

ARTICLE XV.

COMPULSORY EDUCATION.

Regular at-
tendance at
school.
P. L. 1909,
Chap. 144.

174. (153.) Every parent, guardian or other person having control of a child between the ages of seven and seventeen years inclusive shall cause such child to reg-

ularly attend a day school in which at least the common school branches of reading, writing, arithmetic, spelling, English grammar and geography are taught by a competent teacher, or receive equivalent instruction elsewhere than at school, unless such child is above the age of fifteen years and has completed the grammar school course (prescribed by the State Board of Education), and in addition thereto is regularly and lawfully employed in some useful occupation or service. Such regular attendance shall be during all the days and hours that the public schools are in session in the school district in which the child resides, unless it shall be shown to the satisfaction of the Board of Education of the school district in which such child resides, that the bodily or mental condition of such child is such as to prevent his or her attendance at school. If such child be under the age of seventeen years and has completed the grammar school course and is not regularly and lawfully employed in any useful occupation or service, such child shall attend the high school or manual-training school in said school district in which such child resides, if there is a high school or manual-training school in said district; if there is no high school or manual-training school in said school district, said child shall be transported to a high school or manual-training school as provided in the act to which this is an amendment. Any child above the age of fourteen years who submits satisfactory evidence to the Board of Education of the school district in which such child resides, that it is necessary that such child should be employed in some occupation or service, may be granted by said Board of Education a certificate exempting him or her from the provisions of this section, such exemption to continue so long as said child shall be regularly employed as aforesaid.

Subjects
studied.

Period of
attendance.

If unemployed,
to attend high
or manual
training school.

Exemption
under cer-
tain con-
ditions.

175. (154.) Any parent, guardian or other person having the legal control of any child who shall fail to comply with the provisions of section one hundred and

Penalty for
failure to
comply with
section 153.
P. L. 1903,
Special
session.

fifty-three of this act shall be deemed to be a disorderly person, and upon sworn complaint made by the truant officer or other person designated, to any justice of the peace, police justice or city or town recorder acting as such within the municipality wherein such school district shall be situate, shall be apprehended upon warrant issued to any constable of the county, and upon conviction shall be punishable as a disorderly person.

Truant
officers.
Ibid.

176. (155.) The board of education of each school district may appoint, and may remove at pleasure, one or more persons to be designated as truant officers, and may fix their compensation, prescribe their duties, not inconsistent with the provisions of this article, and shall make rules and regulations for the performance of such duties. (a)

Police as
truant
officers.
Ibid.

177. (156.) The police authorities in any municipality having an organized police force shall, upon the written request of the board of education of the school district situate in such municipality, detail one or more members of said police force to act as truant officers. Any police officer so detailed shall have all the powers granted to truant officers under the provisions of this article as fully as if appointed as such truant officers by the board of education. Whenever the words, "truant-officer" are used in this article, the same shall apply as well to the person or persons designated under section one hundred and fifty-five, as to those designated in this section.

Definition
of truancy.
Ibid.

178. (157.) Every child between the ages of seven and fourteen years who shall be repeatedly absent from school, or found away from home during school hours, or whose parent, guardian or other person having legal control of such child is unable to cause him to attend school, or who shall be habitually a truant from school, or who shall habitually wander about the streets and

(a) See sections 286 and 287.

public places of any municipality during the school hours having no lawful business or occupation, or any pupil who shall be incorrigible, actually vagrant, vicious or immoral in conduct, or who shall fail to comply with the provisions of sections one hundred and sixty-one and one hundred and sixty-two of this act, shall be deemed and adjudged to be a disorderly person and proceeded against as provided in section one hundred and fifty-nine of this act.

179. (158.) Every truant officer or other person designated by a board of education who shall find any child between seven and fourteen years of age away from home during school hours, who shall then be a truant from school shall take such child and deliver him to his parent, guardian, or other person having legal control of such child, or to the teacher of the school which such child is lawfully required to attend; said truant officer, or other person shall examine into all violations of the provisions of this act when requested so to do by the Commissioner of Labor or by the board of education of the district for which he shall have been appointed or detailed, and shall thereupon warn any child or pupil, its parent, guardian or other person having legal control of such child or pupil in writing of the consequences of such violations if persisted in, and shall request that the said parent, guardian or other person cause the said pupil to improve his conduct, or said child attend school within five days from serving said notice in writing, and cause said child to attend regularly thereafter; in the event said parent, guardian or other person having control of said child or pupil shall fail, neglect or refuse to cause said pupil to improve his conduct, or fail, neglect or refuse to cause said child to attend school within said period and to attend regularly each day during the remaining period of compulsory attendance, unless regularly excused from school attendance by the board of education, said parent, guardian

Duties of
truant
officer.
P. L. 1905,
Chap. 180.

Notice to
parents.

Penalty for
not sending
child to
school.

or other person having legal control of such child or pupil shall be deemed to be a disorderly person and liable to prosecution without further notice.

Complaint.
P. L., 1903,
Special
session.

180. (159.) In the case of the offenses set out in section one hundred and fifty-seven it shall be the duty of the truant officer or other person designated, when requested by the board of education of the school district, to make a complaint thereof under oath before any justice of the peace, police justice or city or town recorder of the municipality where such school district shall be situate, who shall issue his warrant directed to any constable of the county to immediately apprehend such child so complained of and bring him before him, who, after an examination had as to the offense charged may either direct said child so complained of to be delivered to his parent, guardian or other person entitled to its legal control, or to the teacher of the class in the school at which said child shall or ought to attend, or send the complaint to the clerk of the court for the trial of juvenile offenders, meanwhile committing such boy or girl to the county jail to await trial or punishment as a juvenile offender, or parole him or her to await trial as such before the court for the trial of juvenile offenders in and for the county in which such school district shall be situate.

Apprehension.

Disposition
of child.

Officer's
report.
Ibid.

181. (160.) Such truant officer shall report promptly every such arrest and the disposition made of such arrested child to the board of education of the school district where said child shall be lawfully required to attend school, or to such person as said board may direct.

Parental
school.
Ibid.

182. (161.) The board of education of any school district may establish and maintain a school or schools, or may set apart separate rooms in a public school building for the use, restraint and instruction of children between the ages of seven and fourteen years who shall be habitual truants from school, or who shall be habit-

ually insubordinate or incorrigible and disorderly during their attendance at school. Such school or room shall be known as a parental school.

183. (162.) Said board of education may compel any such child to attend such parental school and, with the consent, in writing, of the parent, guardian or other person having legal control of such child, may cause such child to be restrained and instructed therein for such a period and under such rules and regulations as said board of education may prescribe.

Compel
attendance.
Ibid.

184. (163.) If any such child shall not attend such school, then he or she shall be proceeded against as a disorderly person as set out in sections one hundred and fifty-seven and one hundred and fifty-nine of this act.

Failure to
attend.
Ibid.

185. (164.) Any parental school established under the provisions of this article shall be maintained as other public schools shall be maintained in the district in which it shall be situate under such rules and regulations as the board of education of such district may prescribe.

Maintenance
of parental
schools.
Ibid.

186. (165.) The board of education of a school district in which there shall be no parental school, may send children who shall be residents of such school district and who shall be habitual truants or insubordinate or incorrigible as defined in this article, to a parental school in an adjoining school district, by and with the consent of the board of education of the district in which said parental school shall be situate. Any expense incurred by a board of education under the provisions of this section may be paid out of any moneys raised by special district tax for the current expenses of the school.

When chil-
dren of ad-
jacent district
may be sent
to parental
school.
Ibid.

187. (1.) Whenever a complaint shall be made to a magistrate against the parent, guardian or other person having the legal control of any child, or against any child between the ages of seven and fourteen years, for failing to comply with any of the provisions of Article

Payment to
magistrate
for issuing
warrant
against
parent.
P. L. 1905,
Chap. 188.

XV. of the act to which this is a supplement, and there is no provision in any other law in this state for compensation to the magistrate for issuing his warrant and holding an examination as to the offense charged, the board of education of the school district wherein the complaint shall be made, may, in its discretion, order and direct the payment of a proper bill, made out and sworn to by such magistrate, and not to exceed the sum of fifty cents for the issuing of a warrant, holding the examinations and disposing of the matter before him, and such payment shall be made from the special district tax raised for the current expenses of said district.

ARTICLE XVI.

SCHOOL FUND.

Trustees of
school fund.
P. L. 1903.
Special
session.

188. (166.) The Governor, the Attorney-General, the Secretary of State, the State Comptroller and the State Treasurer (a) are hereby constituted a Board of Trustees of the Fund for the Support of Public Schools arising from appropriations heretofore made or which may be hereafter made by law, or which may arise from gift, grant, bequest or devise, which board shall be known as "The Trustees for the Support of Public Schools."

Secretary
of board.
Ibid.

189. (167.) The Secretary of State shall be the Secretary of said board. He shall record in a book to be kept for that purpose the proceedings of said board and the accounts to be furnished by the State Treasurer as hereinafter directed.

Riparian
lands part
of school
fund.
Ibid.

190. (168.) All lands belonging to this state now or formerly lying under water are appropriated for the support of public schools, and all moneys hereafter received from the sales of such lands shall be paid to "The Trustees for the Support of Public Schools," and

(a) The Commissioner of Education is a member of the Board of Trustees.
See section 8.

shall be invested by said board, and shall constitute a part of the permanent school fund of the state.

191. (169.) All leases which have been heretofore made, or which shall be hereafter made of such lands, shall be held by "The Trustees for the Support of Public Schools" as a part of the principal of the school fund, and the income arising from said leases shall be a part of the income of said school fund.

Income
from leases.
Ibid.

192. (170.) Moneys belonging to the school fund shall be invested by said board in the bonds of the several school districts of this state, or in the bonds of the United States, or of this state, or in the bonds of any county, city, incorporated town, township or borough of this state the total indebtedness of which shall not exceed in the aggregate fifteen per centum of the total assessable valuation of all taxable property therein, and the interest thereof shall be a part of the income of said school fund. The income of said school fund shall be used for the support of public schools, the payment of the salaries of the County Superintendents of Schools, the payment of premiums and accrued interest on bonds purchased by the "Trustees for the Support of the Public Schools," and for no other use or purpose whatsoever. An account of the management of said fund shall be laid before the Legislature with the annual statements of the State Treasurer's accounts. No compensation shall be paid to said trustees or treasurer for any services performed in pursuance of this article.(a)

Investments
Ibid.

Use of
income.

Annual
accounting.

193. (171.) Said board shall not invest any part of the principal or interest of said fund in bonds secured by mortgage on lands except as hereinafter provided.

Mortgage in-
vestments.
Ibid.

(a) 1. The trustees for the support of public schools are the custodians of the fund set apart for the support of public schools, free by constitutional provision from even the control of the legislature, except in the designation of the mode in which the interest and dividends arising therefrom shall be applied for the support of public schools. For the purposes of the administration of the fund of which they are made custodians and of the rights and remedies upon or against the securities in which it is invested, the trustees are constituted the representatives of the State. *American Dock and Improvement Co. v. Trustees of Public Schools*, 8 Stew. 181.

2. See sections 275 and 276.

Foreclosure.
Ibid.

194. (172.) Said board shall cause foreclosure proceedings to be commenced without delay whenever the interest on bonds secured by mortgage held by said board as part of the school fund shall remain unpaid for the space of six months; *provided*, that whenever foreclosure proceedings shall have been commenced, said board may, in its discretion, discontinue the same upon the payment of accrued interest and the costs of such proceedings.

Proviso.

Purchase
property at
foreclosure
sale.
Ibid.

195. (173.) Said board may bid for and purchase any lands and premises exposed to sale under the order and decree of any court for the payment and satisfaction of any mortgage incumbrance thereon held by said board, and may take and hold title to the lands and premises so purchased in and by its official name as a part of the principal of the school fund; *provided*, that said board shall not bid a higher price for such lands and premises than shall be sufficient to produce the amount due upon said mortgage incumbrance and costs. The taxed costs attending such proceedings and sale, if any, shall be paid by the State Treasurer on the warrant of the State Comptroller.

Proviso.

Payment of
taxed costs.

Sale of
real estate.
Ibid.

196. (174.) All real estate now held by "The Trustees for the Support of Public Schools," and all real estate that may be hereafter acquired by them under foreclosure proceedings shall be sold, either at private or public sale, at such times and at such prices as will, in the judgment of said board, be for the best interests of the state. Said board may advertise such properties, either at private or public sale, in such manner as to it shall seem judicious, and the proceeds of such sale shall be paid into the school fund, and shall be invested by said board as other moneys of said fund shall be invested. Said board may loan to the purchaser of any said real estate, one-half of the amount of purchase-money, the

Loan on
mortgage.

same to be secured by bond and mortgage on the premises so purchased. (a)

197. (175.) The State Treasurer shall make annually to said board on the first day of the annual meeting of the Legislature, and at such other times as said board shall require, a statement of the school fund, containing an account of the securities belonging thereto with the dates of investment, their values, and the interest arising from each class of securities, together with an account of the moneys in the treasury belonging to said fund.

Annual
report to
legislature.
Ibid.

198. (176.) There shall be annually apportioned and paid from the income of the school fund for the support of public schools two hundred thousand dollars. If the income of said fund shall not have been received in full, or shall be insufficient for such appropriation, the sum necessary to make up the deficiency shall be drawn from the State Treasury on the warrant of the State Comptroller, which sum so drawn as aforesaid shall be replaced from the income of said school fund as soon as the same shall have been received.

Apportion-
ment of fund.
Ibid.

Provision for
deficiency.

199. (1.) It shall be lawful for the Trustees for the Support of Public Schools to arrange with any municipality in this State to change any bonds heretofore purchased, or now held or hereafter purchased by said trustees, from coupon to registered bonds, and it shall be lawful for any municipality issuing such bonds so held by said trustees to detach from such bonds the coupons thereon and cancel the same, and stamp upon such bonds the registration thereof, and the necessary agreement for the payment of the interest thereon to effectuate the provisions of this act.

Change
coupon bonds
to registered.
P. L. 1911,
Chap. 236.

Within sixty days after the passage of this act every coupon bond in the possession of said trustees, and

Stamp coupons
on bonds
now owned
by state.

(a) A bond and mortgage given to the trustees for the support of public schools cannot be deducted from the valuation of real and personal estate for which an individual shall be assessed for taxes. *Montgomery v. Trenton*, 11 *Vr.* 89.

every coupon bond thereafter acquired immediately upon the receipt thereof, shall have stamped upon the bond and upon each coupon the following: "This is the property of the trustees for the Support of Public Schools."

ARTICLE XVII.

STATE SCHOOL TAX.

Appropriation
from state
fund.
P. L. 1903,
Special
session.

State school
tax.

Rate of tax.

Apportion-
ment by state
comptroller.

200. (177.) For the purpose of maintaining free public schools there shall be appropriated each year from any moneys in the State Treasury not otherwise appropriated such sum, not less than one hundred thousand dollars, as may be determined by the Legislature in the annual appropriation act; which sum shall be apportioned among and paid to the several counties in the proportion that the ratables of each of said counties shall bear to the total ratables of the state as exhibited by the latest abstract of ratables filed in the office of the State Comptroller. In addition to the amount so determined and appropriated, a state school tax shall be annually assessed, levied, and collected upon the taxable real and personal property in the state, as exhibited by the latest abstract of ratables from the several counties made out by the several boards of assessors and filed in the office of the State Comptroller. Said tax shall be such an amount as will make, when added to the amount determined and appropriated as aforesaid, a sum equal to two and three-fourths mills on each dollar of valuation of the taxable real and personal property in the state as exhibited by the last abstract of ratables from the several counties made out by the several boards of assessors and filed in the office of the State Comptroller, which tax shall be assessed, levied and collected at the same time and in the same manner as other taxes shall be assessed, levied and collected. The State Comptroller shall apportion said tax and appropriation among the several counties in proportion to the amount

of taxable real and personal estate of said counties, respectively, as shown by the abstract of ratables as aforesaid, and he shall transmit on or before the first day of February in each year, to the State Board of Education, a statement of the amount of said tax and appropriation, apportioned as aforesaid, and to the County Collector a statement of the amount of said tax apportioned to and payable by said county, and said County Collector shall lay said statement before the board of assessors of the townships, cities, incorporated towns, boroughs and wards within his county at its next annual meeting, and said board of assessors shall thereupon apportion said school tax as other taxes are apportioned, and the same shall be assessed, levied and collected according to law. (a)

Statement
furnished.

201. (178.) Every County Collector shall pay to the State Treasurer the quota of the State school tax from his county on or before the twentieth day of January next after the assessment thereof. In case any collector or other officer having the custody of collected taxes shall fail or neglect to pay to the County Collector the full amount of State school tax due from his taxing district on or before the twenty-second day of December, said County Collector shall give to the County Superintendent of Schools written notice of such failure or neglect, and said County Superintendent of Schools shall withhold from every school district in said taxing district, the full amount apportioned to it out of the reserve fund for the support of the school or schools situate within said taxing district, and said County Superintendent of Schools in making the next apportionment of school moneys shall reapportion the amount of the re-

Payments
by county
collector
to state
treasurer.
Ibid.

Penalty for
failure to
pay tax.

(a) 1. School taxes are to be levied and applied for the school year succeeding the assessment. *Elisabeth v. Sheridan*, 13 Vr. 64.

2. The board of assessors in apportioning the State and school taxes among the several townships in a county must distribute them according to the value of the property, after deducting debts, as shown by the duplicates of the assessors of the several townships of the then present year and not of the preceding year. *Skirm v. Cox*, 9 Vr. 302.

Retention of
apportion-
ment from
state tax.

serve fund so withheld among the several school districts in his county. Said County Superintendent of Schools shall also withhold from the custodian of the school moneys of any school district the order for the amount of money apportioned out of the State school tax to said district, until the collector or other officer authorized to collect taxes in the taxing district in which said school district shall be situate shall have paid to the County Collector the full amount of the State school tax due from said taxing district, and the body having the control of the finances of any township, city, incorporated town, borough or other municipality in which shall be situate a school district from which shall have been withheld as hereinbefore provided, the amount apportioned out of the reserve fund for the support of schools, shall forthwith appropriate to said school district, out of any funds under its control, a sum equal to the amount so withheld, and in case there shall be no funds available for such purpose, the body having control of the finances of such municipality shall borrow and appropriate a sum sufficient for such purpose, and shall place the amount so borrowed in the next annual tax levy. (a)

Apportion-
ment of
reserve fund.
Ibid.

202. (179.) Ten per centum of the full amount of the State school tax annually raised shall be known as a reserve fund, and shall, on or before the fifteenth day of February in each year, be apportioned among the several counties by the State Board of Education equitably and justly according to its discretion. The Commissioner of Education shall, on or before the fifteenth day of January next ensuing said apportionment, draw an order on the State Comptroller in favor of each County Collector for ninety per centum of the amount

(a) 1. A *mandamus* will be allowed to compel townships to pay state and county taxes out of the first moneys collected. *Veghte v. Bernards*, 13 Vr. 338.

2. A peremptory *mandamus* will issue for the payment of State and county taxes by a city where it has collected sufficient moneys for city, county and State purposes to pay such taxes. *Shields v. Paterson*, 26 Vr. 495.

of the State school tax paid by said County Collector to the State Treasurer, and said County Collector shall apply for and be entitled to receive the amount of said order as soon as said order shall be received by him. The Commissioner of Education shall also draw his order in favor of each County Collector for such portion of the reserve fund as shall have been apportioned to his county as aforesaid, which order shall be payable when the total amount of said reserve fund shall have been received by the State Treasurer. (a)

203. (180.) The State Comptroller shall draw his warrant on the State Treasurer in favor of the County Collector of each county for the portion of the income of the State School Fund, of the State appropriation and State school tax to which said county shall be entitled, whenever such County Collector shall present orders for the same drawn by the Commissioner of Education.

Comptroller's
warrant to
county
collector.
Ibid.

204. (181.) The County Collector of each county shall receive and hold in trust that part of the State appropriation and State school tax apportioned to his county, and shall pay the same to the custodians of the school moneys of the several school districts of his county on the orders of the County Superintendent of Schools. (b)

County
collector to
hold money
in trust.
Ibid.

(a) See section 292.

(b) 1. A county collector is not required or permitted to exercise any discretion as to how much of the State appropriation the several township collectors in the county are entitled to receive from him. The question as between these officers is settled conclusively by the order of the county superintendent of public schools. The notion that a county collector can, in any case, lawfully reduce the amount by setting up some counter-claim, whether in his own behalf or in behalf of his county, and whether against the township collector, personally, or against his township, is neither justified by the language nor consistent with the policy of our School laws. *Herder v. Collector, &c.*, 7 Vr. 363.

2. The county collector of each county shall receive and hold in trust the State appropriation for public schools belonging to his county, and pay the same to the collectors of the several townships and to the city treasurers only on the orders of the county superintendents, and is responsible for these moneys if otherwise expended. *Elizabeth v. Sheridan*, 13 Vr. 64.

3. A *mandamus* lies against a county collector who refuses to pay over school moneys. *Herder v. Hunterdon*, 7 Vr. 363.

4. A *mandamus* will be allowed for the payment of the county superintendent's order for the State appropriation for public schools when the moneys

District
boards to
report to
county su-
perintendent.
P. L. 1907,
Chap. 122.

School
attendance.

Apportion-
ment of
school
moneys.

Amount for
supervisor or
city superin-
tendent.

205. (182.) The Board of Education of each school district shall, on or before the fifteenth day of March in each year, certify to the County Superintendent of Schools for the county in which such school district shall be situate, and on the blanks furnished for that purpose by the Commissioner of Education, the number of teachers who shall have been employed in the schools of such district for the full time the schools therein shall have been kept open during the then current school year, and the number of teachers who shall have been employed in said schools for a portion of said year, but for a period of not less than four months, specifying the grade in which each of such teachers shall have been employed. There shall also be certified as aforesaid the number of pupils who shall have attended a public school in a district other than that in which they reside, and for whom tuition fees shall have been paid by the Board of Education, specifying the grade in which each of such pupils shall have been enrolled during said year, and also the number of such pupils for whom transportation has been provided, and the cost thereof.

The said County Superintendent of Schools shall, on or before the first day of April in each year, apportion to the several school districts of said county the State school moneys, and the interest of the surplus revenue in the following manner:

I. (a) The sum of six hundred dollars to each district in which there shall have been employed a Supervising Principal or City Superintendent of Schools, who shall have devoted his entire time to the supervision of the schools in such district, but if two or more districts shall have united in employing a Supervising Principal

have been applied for school purposes in the preceding year beginning January 1st. *Elizabeth v. Sheridan*, 13 Vr. 64.

5. A county collector, upon *mandamus*, will be ordered to pay over to the treasurer of a town or township collector the amount of school moneys apportioned to said town or township, for which the collector holds the order of the county superintendent, although the town treasurer or township collector may owe to the county collector moneys due for State and county taxes. *Plainfield v. Sheridan*, 16 Vr. 276.

as aforesaid, the six hundred dollars apportioned for such principal shall be apportioned among said districts in the proportion that the number of teachers employed in each of said districts shall bear to the total number of teachers employed in all of the districts uniting in employing said Supervising Principal. (a)

(b) The sum of four hundred dollars for each assistant superintendent and supervisor, other than the Supervising Principal, employed in the district, and permanent teacher employed in a high school or high school department having a full four years' course of study, which shall have been approved by the State Board of Education. (b)

For assistant supervisor or superintendent.

(c) The sum of three hundred dollars for each permanent teacher employed in a high school or high school department having a full three years' course of study, which shall have been approved by the State Board of Education. (b)

For each teacher.

(d) The sum of two hundred dollars for each permanent teacher employed in an ungraded school, or in a kindergarten, primary or grammar department or in a high school department having a course of study of less than three full years, which course of study shall have been approved by the State Board of Education. (b)

For each teacher in ungraded school, or less than three years' course.

(e) The sum of eighty dollars for each temporary teacher who shall have been employed for a period of not less than four months.

For temporary teacher.

(f) The sum of eighty dollars for each teacher employed in an evening school for the full time such school shall have been maintained; *provided*, the Board of Education shall certify that said evening school has been maintained at least four months during the school year preceding that for which the apportionment shall be made; *provided further*, if any such teacher shall have been also employed in the day schools of the same dis-

For night school teacher.

Proviso.

Proviso.

(a) See section 96.

(b) See section 3, div. X.

trict, the apportionment aforesaid shall be made for such teacher in addition to any amount apportioned for him as teacher in such day schools.

For each high school pupil in other district.

(g) The sum of twenty-five dollars for each pupil who shall have attended a high school or a high school department in a district other than that in which he resides, and for whom a tuition fee shall be paid by the Board of Education.

For each pupil in other district.

(h) The sum of five dollars for each pupil who shall have attended an ungraded school or a kindergarten, primary or grammar school department, in a district other than that in which he resides, and for whom a tuition fee shall have been paid by the Board of Education.

For transported pupil.

(i) The sum of two hundred dollars to each district in which the Board of Education shall have provided proper means for the transportation of pupils in accordance with the provisions of this act, so long as proper transportation shall be provided; *provided*, that no appropriation shall be made for transportation unless the services of a teacher shall have been dispensed with by reason of substituting transportation for the services of such teacher.

Proviso.

75 per cent. of transportation.

(k) Seventy-five per centum of the cost of transportation of pupils to a public school or schools in a district other than that in which such pupils reside; *provided*, that such apportionment shall not be made to any district in which a schoolhouse shall be closed by reason of providing such transportation.

Proviso.

As to manual training teachers.

In making such apportionment teachers employed in a manual training school or department in a district receiving an appropriation from the State for such manual training school or department and who shall have devoted at least one-half of the time the schools in said district shall have been kept open to school work other than manual training, shall be regarded as temporary teachers only, but no apportionment shall be made for

teachers who shall have devoted their entire time to teaching in such manual training school or department.

II. He shall apportion to the several school districts of the county the remainder of said moneys on the basis of the total days' attendance of all pupils enrolled in the public schools thereof as ascertained from the last published report of the Commissioner of Education. For the purpose of such apportionment an attendance upon an evening school shall be counted as one-half day's attendance. If a school in any district shall, on account of contagious disease, destruction of the schoolhouse by fire or otherwise, or for other good reason, be closed, for the purpose of this apportionment, such school shall be deemed to have been in session, and the total days' attendance upon such school for the time it shall have been closed as aforesaid shall be determined by dividing the actual total days' attendance of the pupils enrolled in such school by the number of days such school shall have been actually in session, and multiplying the quotient thus obtained by the number of school days such school shall have been closed.

Apportionment of balance of school moneys.

In case of evening and closed schools.

206. (183.) On or before the fifteenth day of September in each year the custodian of the school moneys of each school district shall pay to the County Collector the balance of moneys apportioned to said district by the County Superintendent of Schools, which may then be in his hands to the credit of said district, and shall report forthwith to the County Superintendent of Schools the amount thus paid over, and the County Collector shall on or before the first day of October in each year, report to the County Superintendent of Schools of his county the amount of money received by him by virtue of the provisions of this section, and said County Superintendent of Schools shall thereupon reapportion such amount among all the school districts in said county. The sum thus reapportioned shall be paid immediately by the County Collector to the several custodians of the school moneys of said districts on the orders of the

Balance paid county collector. P. L. 1903, Special session.

Reapportionment.

Proviso.

County Superintendent of Schools, and shall be available for the then current school year. The sum thus reapportioned to any district shall be in addition to the sum apportioned to such district by the County Superintendent of Schools for said school year; *provided*, that the County Superintendent of Schools may, for good cause shown, allow any such balance to remain in the hands of the custodian of the school moneys of such district to the credit of such district, and such balance may thereafter be used and expended by the Board of Education of such school district for the purpose of paying teachers' salaries and fuel bills, or, by and with the written consent of the County Superintendent of Schools, for the improvement of schoolhouses and grounds, the purchase of school furniture, or for any other purpose connected with the schools of such district. (a)

ARTICLE XVIII.

CUSTODIAN OF SCHOOL MONEYS.

Custodian of
school
moneys.
Ibid.

Orders.

Proviso.

207. (184.) In each school district there shall be a custodian of school moneys, who shall receive and hold in trust all school moneys belonging to such school district, whether received from the State appropriation, State school tax, district tax, appropriation, or from other sources, and shall pay out the same only on orders signed by the president and district clerk or secretary of the Board of Education. Each order shall specify the object for which it shall be given, and shall be made payable to the order of and shall be indorsed by the person entitled to receive the amount named therein; *provided*, that in the payment of teachers' salaries a pay-roll, certified by the president and district clerk or secretary of the Board of Education, stating the names of the teachers and the amount to be paid to each, may be delivered to the cus-

(a) For railroad tax see sections 290 to 295.

custodian of school moneys, accompanied by one order or warrant, drawn to his order, for the full amount of said pay-roll, in which case said custodian shall deliver to said district clerk or secretary individual checks payable to the order of said teachers. Said custodian shall pay over the balance of school funds remaining in his hands to his successor in office. He shall keep in the books provided for that purpose a record of the sums received and paid out by him. At the close of the school year he shall transmit to the Board of Education of the district a report showing the amounts received and disbursed by him for school purposes during said year, and shall file a duplicate of such report with the County Superintendent of Schools. (a)

Annual
report.

208. (185.) The person designated by law as the custodian of the moneys belonging to the municipality in which the school district shall be situate, or the collector, when designated by such Board of Education, shall be the custodian of the school moneys of such district, and shall receive such compensation as the township committee, common council, or other governing body of such municipality shall determine, which compensation shall be paid by said township committee, common council or other governing body from the funds of the township, incorporated town, borough, city or other municipality, and the bonds given by said collector or other person for the faithful performance of his duty as such officer, shall be held to cover and secure the faithful performance of his duty as custodian of school moneys, and the bondsmen thereon shall be liable therefor; and his bondsmen shall remain and be legally bound for the faithful performance of his duties as such custodian until the final settlement of his accounts; nothing in this article shall be construed as giving to the township committee, common council or other governing body of any municipality any control over moneys belonging to the school district in the hands of the custodian of the

Municipal
custodian
of school
funds.
P. L. 1908,
Chap. 223.

Bond.

(a) See foot-notes to section 100.

Moneys held
in trust.

Joint school
district.

Payment of
moneys to
custodian.
P. L. 1903,
Special
session.

school moneys of said district, but said money shall be held by such custodian in trust, and shall be paid out by him only on orders legally issued and signed by the president and district clerk or secretary of the Board of Education; any ordinance, by-law or resolution of a township committee, common council or other governing body of any municipality attempting to control such moneys, or which shall in any way prevent the custodian of the school moneys of the school district from paying the orders of the Board of Education as and when they shall be presented for payment shall be absolutely void and of no effect; whenever any school district shall contain more than one municipality the Board of Education may appoint a suitable person as custodian of school moneys of said district, and may fix his salary and term of office. Such custodian shall give bonds for the faithful discharge of his duties in such amount and with such sureties as said board shall direct, but such bonds shall be for a sum not less than the amount apportioned to said district by the County Superintendent of Schools; until the appointment of a custodian of school moneys by the Board of Education, the collector or other person residing in the municipality situate in such school district having the largest amount of taxable property shall be custodian of the school moneys of such district. (a)

209. (186.) The collector or treasurer of each municipality in which a school district shall be situate, shall pay to the custodian of the school moneys of such school district the amount ordered to be assessed, levied and collected in such municipality for the use of the public schools therein exclusive of the State school tax, on the requisition or requisitions of the Board of Education. (b)

(a) Money raised and placed in the hands of an officer for a specific purpose cannot be lawfully applied to any other purpose. *Hoboken v. Ivison, &c.*, 5 *Dutcher* 65.

(b) A township collector is not required to pay over to the township committee taxes which he is directed by the legislature to pay over to other persons or to retain in his own keeping as their official custodian. *Hardy v. Harden*, 39 *Vr.* 76.

210. (187.) Whenever there shall have been established a sinking fund for the payment of school bonds and there is no officer or body designated by law as the custodian of the funds belonging to such sinking fund, the custodian of the moneys of the corporation which shall have issued such bonds shall be the custodian of the securities and moneys belonging to such fund, and the bondsmen on his bond as such custodian shall be liable for the safekeeping of said fund.

Sinking fund.
Ibid.

211. (188.) Whenever any order for payment of the current expenses of a public school shall be drawn and issued by any Board of Education on the custodian of the school moneys of such district, and there shall be no funds in the hands of such custodian to pay the same, such order shall bear legal interest until such time as said custodian shall have funds to pay the same, of which fact he shall give public notice, whereupon said interest shall cease.

When school
orders draw
interest.
Ibid.

212. (189.) If any custodian of the school moneys of any school district shall fail to make and transmit his report to the Board of Education of the district, or shall fail to make and transmit his report to the County Superintendent of Schools on or before the first day of August in any year, he shall forfeit to said school district the sum of ten dollars for each day thereafter until he shall have made and transmitted his report to the Board of Education of the district and to the County Superintendent of Schools. Said sum shall be sued for and collected by the district clerk or secretary of the Board of Education of said district in any court of competent jurisdiction.

Penalty for
custodian of
school
moneys not
making
report.
P. L. 1906,
p. 329.

ARTICLE XIX.

STATE NORMAL SCHOOL.

213. (190.) State normal schools shall be maintained for the purpose of training and educating persons in the

Title of
normal
schools.
P. L. 1903,
Special

Free tuition.

science of education and art of teaching. The name and title of each such school shall be designated by the State Board of Education. Tuition in said schools shall be free.

Supervision.
Ibid.

214. (191.) The State Board of Education shall have the control and care of the buildings and grounds owned and used by the State for normal schools and of the funds for the support thereof; shall appoint and remove principals, teachers and other employes, and shall fix their salaries; shall purchase and furnish text-books, apparatus and supplies for the use of the pupils; shall prescribe courses of study for such schools; shall make rules for their management and shall grant diplomas.

Treasurer.
Ibid.

215. (192.) The State Board of Education shall appoint a suitable person as treasurer of each of said schools, and shall fix his salary. All bills and charges for the maintenance of said schools, except as herein-after provided, shall be paid by the treasurer thereof upon the certificate of said board.

Repairs and
insurance.
Ibid.

216. (193.) Said board shall order necessary repairs to the grounds, buildings and furniture of said normal schools, and shall keep said buildings and furniture insured. The State Comptroller shall, upon the certificate of said board, draw warrants upon the State Treasurer for the payment of the cost thereof.

Pupils;
number,
declaration.
Ibid.

217. (194.) Each county shall be entitled to at least six times as many pupils in such schools as it shall have representatives in the Legislature. In case any county shall not have the full number of pupils to which it shall be entitled, pupils may be admitted from other counties. Pupils when admitted shall sign a declaration that they intend to teach in the public schools of this State for at least two years immediately after being graduated, unless excused temporarily by the State Board of Education, and that if they do not so teach they will refund to the State the cost of their education.

Model
schools.
Ibid.

218. (195.) The State Board of Education may maintain model schools under regular teachers, in which

pupils of the normal schools shall have the opportunity to observe and practice approved methods of instruction and discipline.

219. (1.) The moneys collected by the State Board of Education for tuition fees from the model school and for board at the boarding halls connected with the State normal and model schools, and paid into the State treasury pursuant to the provisions of an act entitled "An act regulating the receipt and disbursement of State moneys in certain cases," approved October thirty-first, one thousand nine hundred and seven, and the supplements thereto and amendments thereof, shall be held in trust by the State Treasurer, no part thereof to lapse into the general fund of the State at the close of the State fiscal year, and shall be paid out by the State Treasurer upon the warrant of the Comptroller for the maintenance of the normal school boarding halls and the model school upon bills duly certified and audited by the State Board of Education.

Moneys from tuition and board at Normal schools held in trust.
P. L. 1910, Chap. 58.

Balance not to lapse.

220. (2.) In the purchase of provisions and supplies for the boarding halls of said schools the State Board of Education is authorized to purchase by contract or otherwise, without first advertising for bids for the same, as it shall deem for the best interests of the schools.

Purchases by contract or in open market.
Ibid.

ARTICLE XX.

NEW JERSEY SCHOOL FOR THE DEAF.

221. (196.) A school shall be maintained for the purpose of training and educating deaf children. The name and title of said school shall be "The New Jersey School for the Deaf." Tuition in said school shall be free.

Name.
P. L. 1903, Special session.

Free tuition.

222. (197.) The State Board of Education shall have the control and care of the buildings and grounds owned and used by the State for a school for the deaf and the funds for the support thereof; shall appoint and remove a superintendent, teachers and other employes and shall fix their salaries; shall purchase furniture, text-books, school apparatus and other supplies; shall make rules

Control, teachers, etc.
Ibid.

and regulations for the government and management of said school and for the admission of pupils thereto.

Maintenance.
Ibid.

Advertisements for
supplies.

223. (198.) All improvements, additions and repairs to the buildings of said school and the furnishing thereof shall be by contract, after due notice given and specifications furnished. The State Board of Education shall invite proposals twice in each year, at intervals of six months, for supplying said school with dry goods, wearing apparel, groceries, provisions, vegetables, fuel, illuminating material and all other articles the necessity of which it shall be practicable to determine as being needed for the then ensuing six months. The standard quality of such articles shall be determined by the board, and standard samples of non-perishable articles shall be kept in the office of the superintendent for the inspection of bidders. The inviting of proposals shall be advertised for ten consecutive days in two daily newspapers published in the city of Trenton, which advertisement shall classify the articles which shall be grouped in each bid, and shall also state, as nearly as practicable, the quantity needed, and that said goods are to be delivered during the next ensuing six months as ordered by said superintendent. Said board shall award the contract to the lowest responsible bidder on each class or group of articles advertised for, and shall require contractors to enter into suitable bonds for the faithful performance of said contracts. But said board shall have the right to reject any and all bids not considered by it to be in the interests of said school.

Award
contract.

Qualifications
of pupils.
Ibid.

Proviso.

224. (199.) Deaf persons of suitable age and capacity for instruction who shall be legal residents of this State and not over twenty-one years of age, shall be entitled to the privileges of the school for such a period of time, not exceeding fourteen years, as the State Board of Education shall determine; *provided*, that whenever more persons apply for admission at one time than can be properly accommodated in said school, said board shall so apportion the number received that each county

shall be represented therein in the ratio of its deaf population to the total deaf population of the State. Application for admission into said school shall be made to the State Board of Education by a parent, guardian or friend of the proposed pupil in such manner as said board shall direct, but the board shall require such application to be accompanied by a certificate from the judge of the inferior court of common pleas or the county clerk of the county, the chosen freeholder or clerk of the township, the mayor or other executive officer of the city, borough or other municipality in which the applicant shall reside, setting forth that the applicant is a legal resident of the township, city, borough or other municipality claimed as his or her residence, and the age, circumstances and capacity of such proposed pupil, and the ability or inability of such proposed pupil or of his or her parent or guardian to pay any part of the expense of the care and maintenance of such proposed pupil. Whenever said board shall be satisfied that the resources of any person applying for admission to such school or being a pupil thereat, or those of his or her parent or guardian shall be sufficient to defray either the whole or a part of the expense of maintaining such pupil, said board may require such parent or guardian to pay either the whole or such portion of the annual expense of maintaining such pupil as it shall deem just and equitable.

Application
for admission.

When charge
may be made.

225. (200.) The State Board of Education shall appoint some suitable person treasurer of said school and shall fix his salary. All bills and charges for the maintenance of said school shall be paid by said treasurer upon the certificate of said board.

Treasurer.
Ibid.

ARTICLE XXI.

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

226. (201.) The "Manual Training and Industrial School for Colored Youth" (now located at Bordentown)

Control of
Bordentown
school.
Ibid.

shall be hereafter conducted and managed by the State Board of Education, which board shall have the full management and control thereof; shall have the care and charge of the buildings and property thereof; the application and expending of the funds provided or appropriated for the support thereof; the appointment and removal of a principal, teacher and other employes; the fixing and paying of their salaries; the power to prescribe the studies and exercises of said school and rules for its management, and for the admission of pupils thereto. Tuition in said school shall be free.

Tuition free.

Number of
pupils.
Ibid.

227. (202.) Each county shall be entitled to as many pupils in said school as it shall have representatives in the Legislature, but in case any county shall not have in said school the full number of pupils to which it shall be entitled, pupils may be admitted from other counties.

Annual ap-
propriation
to Borden-
town school.
P. L. 1907.
p. 285.

228. (203.) In lieu of all claims, rights and title that the "Manual Training and Industrial School for Colored Youth" has or may hereafter have upon the annual appropriation coming to this State from Congress under the provision of the supplement to the act of Congress of August thirteenth, one thousand eight hundred and ninety, a sum not to exceed twelve thousand dollars may be annually appropriated for the maintenance of said school out of any money in the State treasury not otherwise appropriated.

Treasurer.
P. L. 1903,
Special
session.

229. (204.) The State Board of Education shall appoint some suitable person treasurer of said school and shall fix his salary.

ARTICLE XXII.

MANUAL TRAINING.

Appropriation.
Ibid.

230. (205.) Whenever in any school district there shall have been raised by special tax or by subscription or both, a sum not less than two hundred and fifty dollars for the establishment in such district of a school or

schools for industrial education or manual training, or for the purpose of adding industrial education or manual training to the course of study then pursued in the school or schools of such district, there shall be paid for such purpose to the custodian of the school moneys of said district, on the order of the Commissioner of Education, an amount equal to that raised therein as aforesaid, which amount shall be paid by the State Treasurer on the warrant of the State Comptroller. Whenever such school or schools shall have been established in any district, or said industrial education or manual training shall have been added to the course of study in the school or schools of any district, there shall be paid to such district in like manner for the maintenance and support thereof a sum equal to that raised each year in the district for such purpose; *provided*, Proviso. that the course of study in industrial education or manual training established under the provisions of this section shall be approved by the State Board of Education; *and provided further*, Proviso. that the moneys appropriated by the State as aforesaid to any school district shall not exceed in any one year the sum of five thousand dollars. Custodian of funds. The custodian of the school moneys of the school district shall be the legal custodian of any and all funds subscribed, appropriated or raised for the purpose of carrying out the course of study contemplated by this section, and he shall keep a separate and distinct account thereof, and shall disburse said moneys on orders signed by the president and district clerk or secretary of the Board of Education.

231. (206.) In case the sum necessary as aforesaid to obtain the State appropriation or any part thereof shall have been raised by private subscription, the Board of Education of any school district in which there shall have been established a separate school for industrial education or manual training under the provisions of this article, may select from among the donors of such Additional managers. Ibid.

sum not more than six persons to assist said board in the management of said school.

Report.
Ibid.

232. (207.) The Board of Education of any school district receiving an appropriation from the State for the purpose mentioned in this article shall annually, on or before the first day of August, make a special report to the Commissioner of Education in the manner and form prescribed by him.

ARTICLE XXIII.

SCHOOL LIBRARIES.

Library ap-
propriation.
Ibid.

233. (208.) The State Comptroller shall draw his warrant on the State Treasurer upon the order of the Commissioner of Education, and in favor of the custodian of the school moneys of a school district for the sum of twenty dollars for any public school situate in such district for which there shall have been raised by special district tax, subscription or entertainment a like sum to establish in such school a school library, or to procure books of reference, school apparatus or educational works of art; and the further sum of ten dollars annually upon a like order, upon condition that there shall have been raised by special district tax, subscription or entertainment a like sum for the maintenance of such library for such year.

Selection
of books.
Ibid.

234. (209.) All selections of articles aforesaid purchased in part by State funds shall be approved in such manner as the State Board of Education may by rule direct.

Joint
library.

235. (210.) In any school district in which there shall be more than one schoolhouse, the school library committees of two or more of such schools may consolidate and establish in one place the school libraries under their control, and said committees shall constitute a joint committee for the control and management of such consolidated library.

ARTICLE XXIV.

TEACHERS' LIBRARIES.

236. (211.) Whenever in any county there shall have been raised by subscription a sum of money not less than one hundred dollars for the establishment of a library of pedagogical books for the use of the teachers of the public schools, the State Comptroller shall, upon the order of the Commissioner of Education, draw his warrant on the State Treasurer in favor of the County Superintendent of Schools of said county for the sum of one hundred dollars for the benefit of such library, and annually thereafter there shall be paid on a like order a sum not less than fifty dollars nor more than one hundred dollars, upon condition that there shall have been raised by subscription a like sum for the maintenance of such library for such year.

Support of
teachers'
libraries.

237. (212.) The County Superintendent of Schools and three teachers of public schools in such county appointed by him shall constitute a committee to select and purchase books and apparatus for such library, and to make rules and regulations for the management, use and safekeeping thereof.

Committee
on selection.
Ibid.

ARTICLE XXV. (a)

TEACHERS' RETIREMENT FUND.

238. (213.) There shall be a Board of Trustees, to be known as "The Board of Trustees of the Teachers' Retirement Fund." Said board shall be composed of the Commissioner of Education, three persons, not teachers, and not eligible to membership in said fund, to be selected by the Governor, and five persons members of said fund, nominated as is hereinafter pro-

Trustees of
retirement
fund; how
composed.
P. L. 1907.
p. 365.

(a) Article XXV is not a private, local or special law.

The title of "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," expresses a single object and the creation of the Board of Trustees of the Teachers' Retirement Fund is germane thereto and one of the products of the act. *Allen v. Passaic*, 79 *Atl. Rep.* 101.

Term.	vided. The eight persons so selected or nominated shall be appointed by the Governor. Said trustees shall be appointed each for a term of four years, and in the
Vacancies.	place of any trustee whose term shall expire a successor shall be appointed in like manner for the term of four years. A vacancy in said board shall be filled by the Governor for the unexpired term in the case of a trustee to be selected by the Governor as aforesaid, and until the next annual convention in case of a trustee nominated as is hereinafter provided. At said convention a person shall be nominated to fill the vacancy for the unexpired term. A suitable office in the State House at Trenton shall be provided for said Board of Trustees.
Office.	
Annual convention. Ibid.	239. (214.) The annual convention of the Teachers' Retirement Fund shall be held at the State House in Trenton, at twelve o'clock noon, on the last Saturday in September of each year, for the purpose of nominating members of the Board of Trustees of the Teachers' Retirement Fund, of receiving the report of said board, and for the transaction of any other business properly within its jurisdiction. Said convention shall be composed of delegates from each county in the State, selected as is hereinafter provided. Said convention shall be called to order by the president of the Board of Trustees, and shall organize by the election of a chairman and a secretary. Each county shall be entitled to be represented in such convention by one delegate for each one hundred teachers in said county who are members of the fund, and one delegate for any fraction over fifty; <i>provided</i> , that each county shall be entitled to at least one delegate. Said delegate shall be elected by the vote of a majority of the members of the fund in the county who shall be present at a meeting held for the purpose of electing such delegates. Said meeting for the election of delegates shall be held at such convenient place as shall be selected by the County Superintendent of Schools.
Delegates.	
Organization.	Notice of the time and place of said meeting shall be issued by said County Superintendent at least ten days
Proviso.	
County convention.	
Notice of.	

before the date of said meeting. Said meeting shall organize by the election of a chairman and a secretary. Said secretary shall, within five days after said meeting, forward to the president of the Board of Trustees of the Teachers' Retirement Fund a certificate containing the names and addresses of the delegates elected to the annual convention. In case of a vacancy in the delegation from any county, the remaining delegates from such county may fill such vacancy by appointing a teacher in said county, who shall possess the qualifications hereinbefore prescribed for delegates to such convention. A majority of all the delegates entitled to seats in said convention shall constitute a quorum for the transaction of business.

Organization.

County delegates.

240. (215.) The officers of the Board of Trustees of the Teachers' Retirement Fund shall be a president, a vice-president and a secretary. The president and vice-president shall be members of the Board of Trustees, shall be elected annually on the second Saturday in October, and shall hold office for one year and until their successors shall be elected; *provided*, that their terms as officers shall not extend beyond their respective terms as members of said board. The term of office of the secretary shall be fixed by said board. Said board shall administer the fund hereinafter mentioned, and order all payments therefrom in the manner provided by this article. Such portion of said fund as the Board of Trustees may from time to time determine may be invested in the following securities, being securities which are now authorized by law for savings banks.

Officers of fund. Ibid.

Proviso.

Care of fund.

Investments.

I. In stocks or bonds, or interest-bearing notes or obligations of the United States, or those for which the faith of the United States is distinctly pledged to provide for the payment of the principal and interest thereof.

U. S. securities.

II. In the interest-bearing bonds of this State, or in any bonds authorized by the laws of this State to be issued by any commission appointed by the Supreme Court of this State by virtue of any law of this State.

New Jersey bonds.

Bonds of
other states.

III. In the bonds of any State in the Union that has not, within ten years previous to making such investment, defaulted in the payment of any part of either principal or interest in any debt authorized to be contracted by any law of such State.

Municipal or
school bonds.

IV. In the bonds of any county, township, municipality or school district of this State issued pursuant to the authority of any law of this State; *provided*, such county, township, municipality or school district shall not, within the five years next preceding, have defaulted in the payment of any part of either principal or interest of any legal debt or obligation thereof; *and provided further*, the total indebtedness of any borough and village does not exceed ten per centum of its assessed valuation, and such school district bonds are by law charged upon all the property of the inhabitants of such district; or in any interest-bearing obligation (other than obligations commonly known as improvement certificates) issued by the city, county, town, township, borough or village.

Proviso.

Proviso.

Other city or
state bonds.

V. In the bonds of any city or county, or any other State of the Union, issued pursuant to the authority of any law of any such State; *provided*, such city or county has not, within ten years previous to making such investment, defaulted in the payment of any part of either principal or interest of any debt authorized to be contracted by any law of such State; *and provided further*, the total indebtedness of any such city or county is limited by law to ten per centum of its assessed valuation.

Proviso.

Proviso.

In bond
and mortgage.

VI. In bonds secured by mortgages which shall be a first lien on real estate situate in this State, and worth at least double the amount loaned thereon, but not to exceed sixty per centum of the whole amount of the permanent principal of the fund shall be so loaned or invested; but in case the loan is on unimproved or unproductive real estate, the amount loaned thereon shall not be more than thirty per centum of its actual value;

and no investment in any bond and mortgage shall be made except upon the report of a committee of at least three of the trustees, and two members of which committee shall certify in writing to the value of the premises mortgaged or to be mortgaged, according to their best judgment; such report shall be filed and preserved among the records of the trustees of the fund.

VII. In such real estate as shall have been purchased or acquired by the fund at the sales upon the foreclosure of mortgages owned by the fund, or upon judgments or decrees obtained or rendered for debts due to it, or in settlements effected to secure such debts or in satisfaction of such mortgages; and all such real estate shall be sold by said fund within five years after the same shall have been so purchased, unless, upon application to the Commissioner of Banking and Insurance, he shall extend the time within which such sale shall be made.

Investments
in real estate.

All moneys so invested shall be deemed to be part of the permanent principal of said fund, and the income arising from said moneys so invested, together with all moneys received by donation, gift, legacy, bequest, devise or otherwise, and which shall not be specifically directed to be made a part of the permanent principal of said fund, shall be available for the payment of annuities under this article. All moneys received in payment of principal of bonds or other securities held by said fund shall be reinvested, and shall remain a part of said permanent principal. The fiscal year of said fund shall begin on the first day of July and end on the thirtieth day of June. Said board shall present, at each annual convention of the Teachers' Retirement Fund, a report of the condition of said fund for the last preceding fiscal year, showing the receipts and disbursements on account of the fund, together with a list of the beneficiaries thereof. A copy of said report shall be sent to the Governor, and a copy to the State Board of Education, which copy shall be included in the report of the said board to the Legislature. The necessary clerical and

Investments
as principal.

Source of
annuities.

Fiscal year.

Annual
report.

Expenses of
fund met by
state.

other expenses incurred by the Board of Trustees and by the State Treasurer in the administration of said fund shall be paid by the State Treasurer, on the warrant of the State Comptroller, upon orders signed by the president and secretary of said board.

Treasurer
of fund.
Ibid.

241. (216.) The State Treasurer shall be, *ex officio*, treasurer of the Teachers' Retirement Fund. He shall receive all moneys payable to said fund, and pay out the same only on warrants or orders signed by the president and secretary of the Board of Trustees. All warrants or orders, when so signed, shall be full authority for the acquittance of said treasurer for all payments from said fund. Said treasurer shall give receipts for all moneys received by him for said fund; shall keep full and correct accounts of the financial transactions connected therewith, and shall make an annual report to the Board of Trustees, at its meeting in September, of the receipts and disbursements, and other financial transactions connected with said fund.

Accounts
kept and
report.

Annuity.
Ibid.

242. (217.) Whenever any member of the Teachers' Retirement Fund shall have taught or shall have been employed in the public school system in this State, or in any school in this State supported wholly or in part by public moneys raised under the authority of any law of this State, for a period or periods aggregating at least twenty years, and shall, in the judgment of the Board of Trustees of said fund, have become incapacitated from performing the duties of a teacher, or of such other employment as aforesaid, such person shall, at his or her request, be retired, and shall thereafter receive an annuity out of said fund equal to six-tenths the average annual salary received by such person for the five years of employment next preceding the date of retirement; *provided*, that no annuity shall be less than two hundred and fifty dollars nor more than six hundred and fifty dollars. In case the amount paid to the fund by any applicant at the time he or she shall apply for retirement shall not be equal to at least the amount of his or

Proviso.

Amount paid
in must
equal
annuity.

her annuity for one year, said applicant shall, before he or she shall be paid any annuity, either pay into said fund such sum as shall, together with the sums theretofore paid by such applicant, equal one year's annuity as aforesaid; or, in lieu thereof, shall give to the Board of Trustees authority, in writing, to withhold all payments due to him or her on account of such annuity until the sum so withheld shall be equal to the amount due the fund as aforesaid, and to credit his or her account with the sum so withheld as full satisfaction of the amount owing the fund by said applicant. Application for retirement with annuity shall be filed with the Board of Trustees while the applicant is in actual service, or within two years after he or she shall have discontinued teaching or such other active employment as aforesaid. The decision of the Board of Trustees shall, subject to appeal to the State Board of Education, determine the right of the applicant to any annuity. The payment of any annuity shall be suspended whenever the annuitant has resumed teaching or such other active employment as aforesaid, but such payment may be renewed whenever evidence shall be presented to the Board of Trustees that such annuitant has again discontinued teaching or such other active employment as aforesaid. Any member of said fund who shall discontinue teaching or such other active employment as aforesaid, for any cause other than by reason of having become incapacitated as aforesaid, shall cease to be a member of said fund; but upon resuming teaching or other active employment as aforesaid, the deductions thereafter made from his contractual monthly salary shall be based on his length of service in teaching or other active employment as aforesaid at the time he resumes teaching or such employment. The amount theretofore paid on his account to the Teachers' Retirement Fund shall be deemed to be a part of the total amount to be deducted from his salary and paid to said fund.

Application
for retire-
ment.

Suspension
of annuity.

When mem-
bership
ceases.

Deductions
upon resum-
ing teaching.

Annuities
paid quar-
terly.
Ibid..

243. (218.) All annuities shall be paid in quarterly installments on the last day of September, December, March and June, and each annuity granted shall date from the day on which definite action thereon shall have been taken by the Board of Trustees.

How fund
constituted.

244. (219.) The retirement fund herein provided for shall be made up as follows:

2 per cent.
from teachers
of ten years
or less.

I. Two per centum of the contractual monthly salaries of all members of the fund who were or who shall have been teachers, or shall have been employed as is hereinafter provided, ten years or less when they became or shall become members of the fund.

2½ per cent.
from teachers
between ten
and fifteen
years.

Two and one-half per centum of the contractual monthly salaries of all members of the fund who were or who shall have been teachers, or shall have been employed as is hereinafter provided, over ten years, but less than fifteen years, when they became or shall become members of the fund.

3 per cent.
from teachers
for fifteen
years or
more.

Three per centum of the contractual monthly salaries of all members of the fund who were or who shall have been teachers, or shall have been employed as is hereinafter provided, fifteen years or more when they became or shall become members of the fund.

Total deduc-
tions.

No deductions made under the provisions of this article from the salary of any teacher shall exceed fifty dollars in any year. The total amount of deduction on account of any member shall not exceed the sum of one thousand dollars.

Quarterly
settlements
between
teacher and
fund;
method.

The amount due the Teachers' Retirement Fund shall be reserved or deducted from each warrant or order for salary given to each member of the fund by the Board of Education or other board or officer as shall be required by law to give such warrants or orders, and the said board or officer shall, between the first and twentieth days of March, June, September and December, draw a warrant for the amounts so reserved and deducted in favor of the custodian of the school moneys of the district or school in which such member shall be

employed, and the said custodian shall, immediately upon receipt of any such warrant or order, forward to the State Treasurer the amount of money named therein, together with a list of the names, the monthly salaries, the amounts deducted, and the percentage rates respectively, of the persons from whose salaries the deductions represented thereby have been made.

II. All moneys and property received by donation, gift, legacy, bequest, devise, or otherwise, for or on account of said fund.

Gifts, legacies, etc.

III. All interest on investments, and other moneys which may be raised for the increase of said fund.

Interest from investments.

245. (220.) Said Board of Trustees shall have power:

Power of trustees.
Ibid.
To make by-laws, choose officers, etc.

I. To frame and modify by-laws for its own government not inconsistent with the laws of this State; to elect its president and other officers, and to prescribe and enforce rules and regulations necessary to carry into effect the provisions of this article.

II. To subpoena witnesses and compel their attendance to testify before it in all matters relating to the operation of this article, and any member of said board may administer oaths or affirmations to such witnesses.

Subpoena witnesses.

III. To fix the salary and the term of office of secretary of said board.

Salary of secretary.

IV. To draw its warrants upon the State Treasurer for the payment out of said fund of all annuities payable under the provisions of this article; the members of said board, excepting the secretary, shall serve without compensation, but the State Treasurer shall, upon the warrants of the State Comptroller, pay their necessary expenses; *provided*, that if said board shall elect one of its members secretary, such member may receive compensation for services rendered as secretary.

Pay annuities.

Proviso.

V. By the name of "The Board of Trustees of the Teachers' Retirement Fund," to sue and be sued, complain and defend, in any court of law or equity.

Corporate name

VI. To have, hold, purchase, sell, assign and transfer any of the securities in which any part of the said re-

Control of funds and securities.

tirement fund may be invested, and any moneys belonging to said fund.

Waiver of present rights, and acceptance of this act. Ibid.

246. (221.) I. Any person who is now a member of the Teachers' Retirement Fund may, on or before the first day of January, one thousand nine hundred and nine, waive all rights and privileges he now has as such member and accept the provisions of this act, with all its rights and privileges, by signing and delivering to the Board of Trustees of said fund a notice substantially in the following form:

To the Board of Trustees of the Teachers' Retirement Fund:

Form of waiver and acceptance.

You are here notified that I hereby waive all rights and privileges as a member of the Teachers' Retirement Fund under the provisions of any act heretofore passed by the Legislature, and that I hereby accept the provisions of an act entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved (here insert the date of approval of this act), and that I do hereby agree to be bound thereby. Dated

Copy of notice filed with school board.

A copy of said notice shall be filed with the Board of Education or other body by whom he or she shall be employed. Any member of the fund as aforesaid who shall not file such notice shall continue to be bound by the provisions of the statute in force at the time he or she became a member of the fund, and shall be entitled only to such benefits as are thereby conferred.

When those entitled to may join fund.

II. Any person now entitled to membership in said fund, but who has not heretofore become a member, may join said fund on or before the first day of January, one thousand nine hundred and nine, by signing and delivering to the Board of Education, Board of Trustees,

or other body by whom he or she shall be employed, a notice substantially in the form hereinbefore prescribed.

III. Any person who may become entitled to membership in said fund after this act shall take effect as shall give such notice on or before the first day of January, one thousand nine hundred and nine.

Membership
of others.

IV. Every person who shall be appointed to any position hereinafter designated on or after the first day of January, one thousand nine hundred and eight, shall become a member of the fund by virtue of such appointment; *provided*, this shall not apply to any member of the fund, or to any person eligible to membership in said fund, prior to January first, one thousand nine hundred and eight. (a)

New ap-
pointees.

Proviso.

247. (222.) Any member of said fund who shall cease to teach or be employed in the school or position in which he or she shall have been employed, and who shall be employed in any other school or position, shall immediately give written notice to the Board of Education, or other body having control of the school or position in which he or she shall be employed, that he or she is a member of the Teachers' Retirement Fund, and said notice shall direct that the prescribed per centum of his or her contractual monthly salary be deducted monthly and forwarded quarterly to the State Treasurer as is hereinbefore provided. Such member shall send a copy of said notice, with his or her address, to the secretary of the Board of Trustees of the Teachers' Retirement Fund, and another copy of said notice to the State Treasurer.

Notification
of change of
position.
Ibid.

248. (223.) It shall be the duty of all Boards of Education or Boards of Trustees, or other officers charged with the appointment or engagement of persons entitled to membership in the Teachers' Retirement Fund, to learn if a person so appointed or engaged is a member of

School boards
to ascertain
membership
and deduct
percentage.
Ibid.

(a) The provisions of this section become a part of the contract entered into by a person accepting, after January 1st, 1908, any position designated in said article, by the mere fact of acceptance, and authorize the deduction and detention, for the Teachers' Retirement Fund, of the percentage prescribed by the School Law. *Allen v. Passaic*, 79 Atl. Rep. 101.

said fund, and if such be the case, to deduct the percentage of such salary due to said fund from his or her contractual monthly salary and remit the same to the State Treasurer as is hereinbefore provided.

Eligibility to membership.
Ibid.

249. (224.) Any teacher, teacher-clerk, principal, supervisor, supervising principal or superintendent who shall teach or be employed in the public schools of this State, or in any normal, model or reformatory school of this State, or in any other school of this State supported either wholly or in part by public moneys raised under the authority of any law of this State, and any city, county or State superintendent of the public schools of this State, shall be eligible to membership in the Teachers' Retirement Fund.

Appropriation for expenses of teachers' retirement fund.
P. L. 1905, Chap. 95.

250. (1.) The sum of fifteen hundred dollars, or such part thereof as may be necessary, be and the same is hereby appropriated annually for the payment of the expenses of the Board of Trustees of the Teachers' Retirement Fund provided for by article twenty-five of the act to which this is a supplement, for the administration of said fund, including the expenses of the State Treasurer and all clerical and other expenses of said Board of Trustees of the Teachers' Retirement Fund under the direction of the State Treasurer; *provided*, that no expenses shall be incurred for which the State shall be liable in connection herewith, unless first approved by the State Treasurer; *and provided further*, that such expenditure shall be in nowise a guarantee on the part of the State as to the security, condition or prospects of the fund.

Proviso.

Proviso.

ARTICLE XXVI.

SALARIES OF TEACHERS AND PRINCIPALS.

Salaries of teachers.
P. L. 1903, Special session.

251. (225.) Teachers hereafter employed in any graded school in this State supported in whole or in part by State moneys shall receive salaries proportioned to their experience and success in the school district where they may be employed, such salary, in the case of every

teacher whose experience and success have been properly certified to, to be not less than the amount provided for such teacher in the following schedule:

Assistant teachers in primary and grammar schools and kindergartens:

Assistants in
primary,
grammar and
kindergarten
departments.

Less than two years' experience, four hundred and eight dollars per annum;

Two years' and less than three years' experience, four hundred and fifty-six dollars per annum;

Three years' and less than four years' experience, five hundred and four dollars per annum;

Four years' and less than five years' experience, five hundred and fifty-two dollars per annum;

Five years' and less than six years' experience, six hundred dollars per annum;

Six years' and less than seven years' experience, six hundred and forty-eight dollars per annum;

Seven years' and less than eight years' experience, six hundred and ninety-six dollars per annum;

Eight years' and less than nine years' experience, seven hundred and forty-four dollars per annum;

Nine years' and less than ten years' experience, seven hundred and ninety-two dollars per annum;

Ten years' and less than eleven years' experience, eight hundred and forty dollars per annum;

Eleven years' and less than twelve years' experience, eight hundred and eighty-eight dollars per annum;

Twelve years' experience and upwards, nine hundred and thirty-six dollars per annum;

Principals of schools containing grammar and primary departments:

Principal of
grammar and
primary
schools.

Less than one year's experience as such principal, one thousand eight hundred dollars per annum;

One year's and less than two years' experience, one thousand nine hundred dollars per annum;

Two years' and less than three years' experience, two thousand dollars per annum;

Three years' and less than four years' experience, two thousand one hundred dollars per annum;

Four years' and less than five years' experience, two thousand two hundred dollars per annum;

Five years' and less than six years' experience, two thousand three hundred dollars per annum;

Six years' and less than seven years' experience, two thousand four hundred dollars per annum;

Seven years' experience and upwards, two thousand five hundred dollars per annum;

Principals of
primary
schools.

Principals of schools containing primary departments only:

Less than one year's experience as such principal, one thousand two hundred dollars per annum;

One year's and less than two years' experience, one thousand three hundred dollars per annum;

Two years' and less than three years' experience, one thousand four hundred dollars per annum;

Three years' and upwards, one thousand five hundred dollars per annum;

Principals of
primary de-
partments.

Principals of primary departments shall be paid at the same rate as principals of schools containing primary departments only;

Vice-princi-
pals of
grammar and
primary de-
partments.

Vice-principals, head assistants and first assistants of grammar and primary departments:

Less than one year's experience as such vice-principal, head assistant or first assistant, nine hundred and ninety-six dollars per annum;

One year's and less than two years' experience, one thousand and fifty-six dollars per annum;

Two years' and less than three years' experience, one thousand one hundred and sixteen dollars per annum;

Three years' experience and upwards, one thousand one hundred and seventy-six dollars per annum;

Assistants
in high
schools.

Assistant teachers in high schools, male assistants:

Less than one year's experience, one thousand five hundred dollars per annum;

One year's and less than two years' experience, one thousand six hundred dollars per annum, and for each year's experience thereafter at an additional salary of one hundred dollars per annum to not less than the sum of two thousand four hundred dollars per annum;

Female assistants in high schools:

Less than one year's experience, seven hundred dollars per annum, and for each year's experience thereafter, at an additional salary of one hundred dollars per annum, to not less than the sum of one thousand two hundred dollars per annum;

Vice-principals of high schools:

Vice-principals of high schools.

Less than one year's experience, two thousand dollars per annum, and for each year's experience thereafter, at an additional salary of one hundred dollars per annum, to not less than two thousand five hundred dollars per annum;

Principals of high schools:

Principals of high schools.

Less than one year's experience as such high school principal, two thousand five hundred dollars per annum;

One year's and less than two years' experience, two thousand six hundred dollars per annum;

Two years' and less than three years' experience, two thousand seven hundred dollars per annum;

Three years' and less than four years' experience, two thousand eight hundred dollars per annum;

Four years' and less than five years' experience, two thousand nine hundred dollars per annum;

Five years' experience and upward, three thousand dollars per annum;

Model teachers in model departments of training schools for teachers:

Teachers in training schools.

In addition to the salaries herein provided for assistant teachers of primary and grammar schools, one hundred and fifty dollars, each, per annum;

Critic teachers of training schools for teachers:

Critic teachers.

Two hundred dollars, each, per annum, as extra compensation;

Principals
of primary
departments
in training
schools.

Principal of primary department of training schools for teachers.

Less than one year's experience, one thousand five hundred dollars per annum, and for each year's experience thereafter, at an additional salary of one hundred dollars per annum, to not less than the sum of one thousand seven hundred dollars per annum;

Teachers of
methods in
training
schools.

Teachers of methods or supervisors of methods of training school for teachers:

Less than one year's experience, one thousand five hundred dollars per annum, and for each year's experience thereafter, at an additional salary of one hundred dollars per annum, to not less than two thousand dollars per annum;

Principals of
training
schools.

Principals of training schools for teachers:

Less than one year's experience, two thousand five hundred dollars per annum, and for each year's experience thereafter, at an additional salary of one hundred dollars per annum, to not less than three thousand dollars per annum; *provided*, that if the annual salary of any teacher now employed in any graded school of any school district is less than the amount required to be paid to such teacher by the preceding schedule, the salary of such teacher shall, if such teacher's experience is approved as successful, be increased by adding thereto, annually, beginning with the first day of the fiscal year next succeeding the adoption of this article, in the manner provided in section two hundred and twenty-six of this act, a sum equal to the annual increase provided in the preceding schedule for the class to which such teacher belongs, until such teacher's salary shall be in accordance with the schedule; *and provided further*, that the annual salary paid to any principal or vice-principal hereafter appointed shall not exceed the annual salary paid at the time such appointment is made to principals and vice-principals of the same class respectively, and that the salary of every such appointee shall, if the experience of such appointee proves to be

Proviso.

Proviso.

successful, be increased annually by the amount and in the manner described in this section, until the salary of such appointee shall be in accordance with the preceding schedule.

252. (226.) The Board of Aldermen, Common Council or other governing body of any municipality of this State may, by resolution, submit the question of the acceptance or rejection of this article to the voters of such municipality at any general or charter election to be held therein, whereof at least ten days' notice shall be given by public advertisement in two daily newspapers of this State, circulating in such municipality, and if a majority of those who shall vote for the acceptance or rejection thereof shall be in favor of the acceptance of this article, then this article shall go into effect at the commencement of the then next fiscal year in such school district, and the grant of power herein made shall be deemed to be accepted by such school district and such district shall be bound by the terms of this article; persons entitled to vote at any election where this question is submitted to them shall express their assent or rejection of this article in the manner provided in "An act to regulate elections" (Revision of 1898). There shall be a canvass on the return of the votes upon the question of acceptance or rejection of this article made by the election officers in the same way and manner as for officers voted for at such election, and if a majority of the ballots shall be found to be in favor of the acceptance of this article it shall then, but not otherwise, go into effect and be binding upon the school district situate in said municipality wherein such vote shall be taken.

253. (227.) All elections or submissions to the vote of the qualified voters of any municipality for the adoption of the provisions of any statute establishing the compensation to be paid to teachers and principals in the public schools, and to provide for the payment thereof, in the

Referendum;
acceptance of
Article
XXVI.
Ibid.

Mode of
declaring
acceptance.

Validating
action of
district con-
cerning com-
pensation of
teachers.
Ibid.

school district situate in such municipality, which statute was in substantial compliance with the provisions of this article, and the acceptance of the provisions of such statute by reason of a majority of the ballots having been found to be in favor thereof, and the attendant proceedings heretofore held, submitted, had, done or taken pursuant to and in substantial compliance with such statute are hereby validated and confirmed as fully and to the same extent as though done after the passage of and in conformity with the provisions of this article, and said teachers and principals shall hereafter receive and be paid salaries in accordance with the provisions of this article.

ARTICLE XXVII.

MISCELLANEOUS.

Penalty for
improper
use of
school
moneys.
Ibid.

254. (228.) If the Board of Education of any school district shall use any of the school money received by it, except such as shall have been raised within the district, for any purpose other than the payment of teachers' salaries, fuel bills, the transportation of pupils and the tuition of pupils attending schools in adjoining districts, there shall be deducted by the County Superintendent of Schools from the next annual apportionment to such district a sum equal to twice the amount thus used, and said County Superintendent of Schools shall apportion the moneys thus deducted among the other districts of the county; *provided*, that the Commissioner of Education may remit such penalty.

Proviso.

Medical
inspector.
P. L. 1909.
Chap. 92.

255. (229.) Every Board of Education shall employ a competent physician, to be known as the medical inspector, and fix his salary and term of office. Every Board of Education shall adopt rules for the government of the medical inspector, which rules shall be submitted to the State Board of Education for approval.

The medical inspector shall examine every pupil to Duties.
 learn whether any physical defect exists, and keep a
 record from year to year of the growth and develop-
 ment of such pupil, which record shall be the property
 of the Board of Education, and shall be delivered by
 said medical inspector to his successor in office. Said
 inspector shall lecture before the teachers at such times
 as may be designated by the Board of Education, in-
 structing them concerning the methods employed to
 detect the first signs of communicable disease and the
 recognized measures for the promotion of health and
 the prevention of disease. The Board of Education
 may appoint more than one medical inspector. A
 Board of Education may exclude from school any child Exclude
certain
children.
 whose presence in the schoolroom shall be certified by
 the medical inspector as detrimental to the health or
 cleanliness of the pupils in the school, and shall notify
 the parent, guardian or other person having control
 of such child of the reason therefor. If the cause for
 exclusion is such that it can be remedied, and the
 parent, guardian or other person having control of the
 child excluded as aforesaid shall fail or neglect within
 a reasonable time to have the cause for such exclu-
 sion removed, such parent, guardian or other person
 shall be proceeded against and, upon conviction, be
 punishable as a disorderly person. (a)

256. (230.) Every Board of Education shall procure Flags for
school-
houses.
P. L. 1903,
Special
session.
 a United States flag, flag-staff and the appliances there-
 for for each school in the district, and shall display said
 flag upon or near the public school building during
 school hours and at such other times as said board may
 deem proper.

257. (231.) The several counties in this State shall Interest of
surplus
revenue.
Ibid.
 appropriate the interest of the surplus revenue to the
 support of the public schools.

(a) See section 140.

Teachers'
institutes.
Ibid.

258. (232.) The Commissioner of Education shall procure instructors and lecturers for teachers' institutes. To defray the expenses incurred in holding said institutes there shall be paid to him annually by the State Treasurer, upon the warrant of the State Comptroller, a sum not exceeding four thousand dollars. Said Commissioner of Education shall make annually to the State Board of Education an itemized report of the expenses incurred in holding said teachers' institutes during the year for which said report shall be made.

Appropriation.

Nature of
alcohol and
its effects
taught.
Ibid.

259. (233.) The nature of alcoholic drinks and narcotics and their effects upon the human system shall be taught in all schools supported wholly or in part by public moneys as thoroughly and in the same manner as other like branches shall be taught, by the use of graded text-books in the hands of the pupils when other branches shall be thus taught and orally only in the case of pupils unable to read. In the text-books on physiology and hygiene the space devoted to the consideration of the nature of alcoholic drinks and narcotics and their effects upon the human system shall be sufficient for a full and adequate treatment of the subject. The failure or refusal of any district to comply with the provisions of this section shall be sufficient cause for withholding from such district the State appropriation.

Examination
in physiology.
Ibid.

260. (234.) No certificate shall be granted to any person to teach in the public schools, except to persons applying for special certificates to teach music, drawing, manual training or other subjects not included in the usual school curriculum, who shall not have passed a satisfactory examination in physiology and hygiene with special reference to the nature of alcoholic drinks and narcotics and their effects upon the human system.

Arbor day.
Ibid.

261. (235.) The day in each year known as Arbor Day shall be suitably observed in the public schools. The Commissioner of Education shall from time to time prepare and issue to schools such circulars of infor-

mation, advice and instruction with reference to the day as he may deem necessary.

262. (1.) For the purpose of encouraging the planting of shade and forest trees, the first Friday of May in each year is hereby designated as a day for the general observance of such purpose, and to be known as Arbor Day.

Arbor Day.
P. L. 1908,
Chap. 187.

263. (2.) On said day appropriate exercises shall be introduced in all the schools of the State, and it shall be the duty of the several county and city superintendents to prepare a program of exercises for that day in all the schools under their respective jurisdiction.

School
exercises.
Ibid.

264. (236.) In all public schools there shall be held on the last school day preceding the following holidays, namely, Lincoln's Birthday, Washington's Birthday, Decoration or Memorial Day and Thanksgiving Day, and on such other patriotic holidays as shall be established by law, appropriate exercises for the development of a higher spirit of patriotism.

Patriotic
exercises.
P. L. 1903,
Special
session.

265. (1.) It shall be the duty of the principals and teachers in the public schools of this State to make suitable arrangements for the celebration, by appropriate exercises among the pupils in said schools, on the fourteenth day of June, in each year, as the day of the adoption of the American flag by the Continental Congress.

Observance of
flag day in
schools.
P. L. 1907,
Chap. 84.

266. (237.) Whenever an execution shall be issued against the Board of Education of a school district or of a union-graded school by any court authorized to issue the same, upon a judgment recovered either before or subsequent to the passage of this act, and there shall be found no property belonging to said school district or union-graded school sufficient to satisfy the same liable to be levied on, then the officers authorized to execute such process shall serve a certified copy of said execution upon the assessor or assessors of the taxing district or districts in which said school district or union-graded school shall be situate, and also upon the collector or collectors of such taxing district or districts. Upon receipt

Payment of
judgments
against a
school
district.
P. L. 1903,
Special
session.

Assessment.

of such copy or copies such assessor or assessors shall, at the time of the next regular assessment of school taxes, assess upon the inhabitants of said school district and their estates, and upon the taxable property therein, in addition to the regular school taxes, the amount due upon said execution, with interest thereon to the time when the same shall be paid to the officer serving such process and the collector or collectors shall levy and collect the same, and said amount, when collected, shall be a separate fund, and shall be paid over by said collector to the officer who shall have served said process.

School census
in districts.
P. L. 1907,
Chap. 118.

267. (1.) The Board of Education of any school district may cause to be taken an exact census of all children residing in such district between the ages of five and eighteen years, including such other information as said board may deem necessary or proper; *provided*, that such census shall not be taken more often than once in five years, and shall not be taken in any year in which a United States or a state census shall be taken. The Board of Education of the school district may appoint as many suitable persons as may be necessary to act as enumerators in taking the said census, and may fix the compensation to be paid to said enumerators, not exceeding four cents for each name in said census, which compensation shall be paid as a current expense of the district.

Proviso.

Enumeration.

School year.
P. L. 1903,
Special
session.

Money
specifically
appropriated.
Ibid.

268. (238.) The school year shall begin on the first day of July and end on the thirtieth day of June.

269. (239.) No money shall be paid from the State treasury for any purpose named in this act unless an appropriation therefor shall have been made by the Legislature in the annual appropriation act.

"Article"
defined.
Ibid.

270. (240.) Whenever in this act the word "article" is used, it shall be construed as referring to the caption under which it is used.

Continuance
of present
officials.
Ibid.

271. (242.) The Commissioner of Education, the County and City Superintendents of Schools, the members of the Boards of Education who are residents of the

territory contained in the several school districts, as said districts are constituted by this act, and who are now acting as such, Secretaries of Boards of Education, janitors and other employes of the several Boards of Education of the several school districts, shall continue to serve for the full term for which they were severally elected or appointed, as though they had been elected or appointed under any of the provisions of this act, except as in this act otherwise provided, and all certificates to teach heretofore issued, and now in force in this State, shall be valid according to their terms and for the periods for which they have been severally granted.

272. (243.) The acceptance of the provisions of this act contained in Article VI. relating to Boards of Education in city school districts shall be submitted to the qualified voters of any town, township or borough at a general or municipal election to be held therein, whenever the town council, township committee or other governing body of such municipality, or the Board of Education of the school district situate in such municipality, shall have, by resolution, directed that such question shall be so submitted. The question to be submitted shall be for or against the adoption of the provisions of Article VI. of an act entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," approved—— (insert herein the date when this act shall be approved), and if a majority of the votes cast upon said question shall be for the adoption of the provisions of said article, the school district in such municipality shall thereafter in all respects be governed by the provisions of Article VI. relating to city school districts, and the Board of Education therein shall have all the powers and duties given and imposed by the several provisions of said article.

Referendum;
acceptance
of Article
VI.
Ibid.

273. (244.) The acceptance of the provisions of this act contained in Article VII. relating to Boards of Edu-

Referendum;
acceptance
of Article
VII.
Ibid.

cation in township, incorporated town and borough school districts, shall be submitted to the qualified voters of any city at a general or municipal election to be held therein, whenever the common council or other governing body of such city or the Board of Education of the school district situate in such city, shall have, by resolution, directed that such question shall be so submitted. The question to be submitted shall be for or against the adoption of the provisions of Article VII., of an act entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," approved ——— (insert herein the date when this act shall be approved), and if a majority of the votes cast upon said question shall be for the adoption of the provisions of said article, the school district in such city shall thereafter in all respects be governed by the provisions of Article VII. relating to township, incorporated town and borough school districts, and the Board of Education therein shall have all the powers and duties given and imposed by the several provisions of said article.

Validity of
this act.
Ibid.

274. (245.) In case for any reason any section or any provision of this act shall be questioned in any court, and shall be held to be unconstitutional or invalid, the same shall not be held to affect any other section or provision of this act.

Government
of schools.
Ibid.

275. (246.) All school districts shall hereafter be governed solely by the provisions of this act, and all acts and parts of acts, general, special or local, so far as they are inconsistent with the provisions of this act, are hereby repealed; *provided*, that this repealer shall not revive any act heretofore repealed.

Proviso.

Bonds, regis-
tered or
coupon.
P. L. 1910,
Chap. 214.

276. (1.) All bonds issued pursuant to the provisions of an act of the Legislature entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three, may be registered

or coupon, or both, as the governing body or board issuing the same shall determine.

277. (3.) It shall be lawful for the trustees or Board of Education of any school district in this State to negotiate with the Trustees for the Support of Public Schools in this State for the purchase by them of any bonds to be issued by their respective school districts for school purposes without first advertising for bids for such bonds; and if said trustees or Board of Education can agree with the said Trustees for the Support of Public Schools upon the rate of interest to be paid on said bonds, to issue such bonds and sell and deliver the same to the said Trustees for the Support of Public Schools without advertisement therefor or for the sale thereof; *provided*, the sale price of such bonds shall never be less than par, nor the rate of interest in excess of five per centum.

School district may sell bonds to trustees for support of public schools. *Ibid.*

Proviso.

278. (1.) No school bonds shall be sold at private sale to persons other than the Trustees of the School Fund or to the Sinking Fund Commissioners for the Support of Public Schools, unless such Trustees or Sinking Fund Commissioners have refused to buy them. No school bonds shall be signed, sealed or delivered except within this State. No school bonds shall be delivered to any purchaser other than the Trustees for the Support of Public Schools except upon payment within the State in cash or by certified check drawn to the order of the Custodian of School Moneys for the full purchase price.

Sale of school bonds. P. L. 1911, Chap. 235.

279. (1.) Every school district heretofore organized and formed in any town, township or borough, and now acting under the provisions of Article VI. of an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three, shall be deemed and held to be organized and existing under, and in all respects governed by, the provisions of said article, notwithstanding such school dis-

Article VI of school law applies to all school districts. P. L. 1909, Chap. 186.

trict may have been established and organized under an act of the Legislature of the State of New Jersey heretofore declared by the courts to be unconstitutional.

All acts, etc.,
validated.
Ibid.

280. (2.) All statements, resolutions, certificates and acts and things made, adopted and done in good faith by the Board of Education, the Board of School Estimate and other municipal bodies, in any such school district or municipality, according to the provisions of said act of 1903, are hereby ratified, confirmed and validated.

Appropriations validated.
Ibid.

281. (3.) All appropriations of money by any municipal body in any such school district made according to said act of 1903, and all school bonds issued or authorized to be issued in any such municipality for the purpose of borrowing moneys so appropriated, are hereby ratified, validated and confirmed; *provided, however*, that such bonds were issued or authorized to be issued for money actually and in good faith loaned to such municipality for school purposes and paid to the custodian of school moneys for such school district; *and provided further*, that the total amount of school bonds so issued or authorized to be issued was not in excess of the limitation placed upon such issue by said act of 1903 and the supplements thereto and amendments thereof.

Proviso.

Proviso.

Use of armories by school children.
P. L. 1909,
Chap. 93.

282. (1.) It shall be lawful for the commanding officer of the regiment having the use of any armory, at his discretion, subject to the approval of the Military Board, to permit such armory to be used for athletic purposes by the pupils of the schools of this State upon the application of the principal of the school, subject to such regulations as may be prescribed by said commanding officer.

Residence of members.
P. L. 1910,
Chap. 218.

283. (1.) In all cities in this State having a Board of Education the members of which now are or hereafter shall be appointed by the mayor of such city, it shall and may be lawful for the said mayor to appoint as a member of said Board of Education any resident of said city.

duly qualified to serve thereon, without regard to the place of residence in such city of the person so appointed.

284. (1.) Any child who shall have completed the course of study pursued in the schools in the district in which he or she shall reside may, with the consent of the Board of Education of said district and the board having the control and management of the Farnum Preparatory School, be admitted to said school. Said boards shall determine the amount to be paid for the education of such child, and the Board of Education of the district in which such child shall reside shall issue an order for said amount, signed by the president and district clerk or secretary of the Board of Education, in favor of the custodian of the school moneys of said school, which order shall be paid by the Custodian of the school moneys of the district in which such child resides out of any moneys in his hands available for the current expenses of said district.

Attendance
at Farnum
School.
P. L. 1910,
Chap. 61.

Amount to
be paid by
school
district.

285. (1.) The use of the common drinking cup, an undoubted source of communication of infectious diseases, is hereby prohibited in all public places within this Commonwealth, and the State Board of Health shall have full authority to establish such reasonable rules and regulations to make this prohibition effective as in their judgment seems wise and proper.

Common
drinking cup
prohibited
P. L. 1911,
Chap. 171.

286. (2.) Whoever fails to observe the provisions of this act, or the rules and regulations of the State Board of Health made in relation thereto, shall be deemed guilty of a misdemeanor and be liable to a fine not exceeding twenty-five dollars for each offense.

Penalty.
Ibid.

287. (1.) The provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employes of this State and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, are hereby extended and shall here-

Civil service
applied to
school dis-
tricts.
P. L. 1911,
Chap. 346.

after be construed to apply to all school districts of this State, as fully and completely as though the same had been included in the title and body of said act; *provided*, however, that the said act shall not become effective in any school district of the State until the same shall have been adopted by the vote of the qualified voters of such school district, in the manner provided by the thirty-first section of said act.

Proviso.

Tenure of
truant officers
in cities.
P. L. 1911,
Chap. 275.

288. (1.) The services of all truant officers of the public schools in any school district in any city of this State shall be during good behavior and efficiency, after the expiration of a period of employment of one year in said school district; *provided*, that the time any truant officer has served in the district in which he or she is employed at the time this act shall go into effect, shall be counted in determining such period of employment.

No dismissal
except on
charges and
hearing.
Ibid.

289. (2.) No truant officer shall be dismissed or subjected to reduction of salary except for inefficiency, conduct unbecoming an officer or other just cause, and after a written charge of the cause or causes shall have been preferred against him or her, signed by the person or persons making the same, and filed with the secretary or clerk of the Board of Education of the school district in which he or she is employed, and after the charge shall have been examined into and found true in fact by the said Board of Education, upon reasonable notice to the person charged, who may be represented by counsel at the hearing.

Rules for
employment
of janitors.
P. L. 1911,
Chap. 44.

290. (1.) In every municipality or school district of this State the Board of Education shall make such proper rules and regulations as may be necessary for the employment, discharge, management and control of the public school janitors employed by such board not inconsistent with the provisions of this act.

Removal
of janitor.
Ibid.

291. (2.) No public school janitor in any municipality or school district shall be discharged, dismissed or suspended, nor shall his pay or compensation be decreased, except upon sworn complaint for cause, and upon a

hearing had before such board. Upon the filing of such sworn complaint, a copy thereof, certified by the secretary or clerk as a true copy, shall be served upon such person at least five days before the hearing, and at such hearing such janitor shall have the right to be represented by counsel. If upon such hearing it shall appear that the person charged is guilty of the neglect, misbehavior or other offense set forth in said complaint, then said board may discharge, dismiss or suspend such janitor or reduce his pay or compensation, but not otherwise. Hearing.

RAILROAD TAX FOR SCHOOLS.

292. (1.) The tax assessed in each year by virtue of the provisions of sub-divisions one, three and four of section three of an act entitled "An act to revise and amend 'An act for the taxation of railroad and canal property, approved April tenth, one thousand eight hundred and eighty-four,' which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight," and the amendments thereof or supplements thereto, after deducting therefrom a sum equal to one-half of one per centum of the total valuation of the property on which said tax shall be assessed, shall be devoted to the maintenance and support of a thorough and efficient system of free public schools, and shall be apportioned annually, on or before the first day of February, among the several counties by the State Comptroller in proportion to the amount of taxable real and personal estate of said counties respectively, as shown by the last abstract of ratables from the several counties made out by the several boards of assessors, and filed in the office of said Comptroller. The State Comptroller shall, on or before the first day of November following said apportionment, draw his warrant on the State Treasurer in favor of the county collector of each county for the portion of said tax to which said county shall be entitled,

Distribution
of state rail-
road tax
among the
counties for
school pur-
poses.
P. L. 1906
Chap. 146

Apportionment by county superintendents.

as aforesaid. The moneys received by any county collector by virtue of the provisions of this act shall be apportioned by the County Superintendent of Schools of such county among the several school districts therein at the same time and in the same manner as other moneys shall be apportioned by him.

Comptroller to deduct from school fund amount appropriated for certain educational purposes.
P. L. 1909, Chap. 65.

293. (1.) The State Comptroller, prior to the apportionment, on or before the first day of February, among the several counties of the State, of the fund devoted to the maintenance and support of a thorough and efficient system of free public schools, as provided in and by an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved April twentieth, one thousand nine hundred and six, shall deduct from the sum so to be apportioned as aforesaid the sum appropriated annually for the purposes herein specified, to wit:

State Normal School at Trenton,
State students at Rutgers (scholarships),
New Jersey School for the Deaf,
County Superintendents,
State Normal School at Montclair Heights,
Manual Training Industrial School for Colored Youth,
Evening schools for foreign-born residents,
Commissioner of Education,

Use of money deducted.

which said moneys shall be retained in the treasury of the State for the payment of the appropriations to be made for the several purposes indicated, instead of the payment thereof from the general moneys in the State treasury, as heretofore.

Time of payment by state.
P. L. 1911, Chap. 237.

294. (1.) The State Comptroller is hereby empowered and directed to make distribution of the moneys assessed, levied and collected for the year one thousand nine hundred and eleven, as provided in and by an act

entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof, approved October nineteenth, one thousand nine hundred and three,' approved April twentieth, one thousand nine hundred and six," as follows: On the first day of September, one thousand nine hundred and eleven, such part of said moneys as has been collected and on the twenty-fifth day of October of said year, the balance collected to that date. The Comptroller shall annually, hereafter, make a similar distribution of all such moneys collected and which are distributed under said act, on the first day of September and on the twenty-fifth day of October, respectively, of the year next succeeding the year of their assessment.

295. (2.) If, hereafter, on the twenty-fifth day of October, in any year, any part of the taxes apportioned on the first day of February of the previous year, as provided in the act to which this is a supplement, shall not have been paid into the State Treasury, the State Comptroller shall cause the part of said taxes which shall not have been paid in by said twenty-fifth day of October to be distributed as and when collected, unless the amounts received are less than five thousand dollars, in which event he shall not make a distribution until the payments aggregate five thousand dollars.

Payment in
installments.
Ibid.

296. (3.) All moneys paid in accordance with this act shall be held by the official to whom paid in trust for the support and maintenance of the free public school of the school district to which apportioned and paid. No part thereof shall be used to pay or discharge, in whole or in part, any note or other obligation heretofore incurred, or any bonds, whether temporary or for a term of years, heretofore issued by such municipality, or by any Board of Education of any municipality, nor shall any part of the funds hereby authorized to be paid be used for any other purpose than for the support

Custody and
use of funds.
P. L. 1909.
Chap. 63.

Proviso:
Right to
borrow in
anticipation
of taxes.

and maintenance of the free public schools of such municipality or school district; *provided, however*, that it shall be lawful for the municipality or Board of Education of any school district to borrow by temporary loan, in anticipation of the receipt of any moneys which may be distributed under this act, or the act to which this act is a supplement, to the extent of not exceeding eighty per cent. of the amount of moneys which may be apportioned to such school district under the distribution herein provided for; such temporary obligations, if any, to be first paid from the moneys received under this act, before any other disposition of such money shall be made. Any person, or the members of any board, violating this act shall be guilty of a misdemeanor. (a)

Duty of
state
comptroller.

297. (4.) The State Comptroller shall, on the date and at the time named in this act, draw his warrant upon the State Treasurer in favor of the county collector of each county for the amount due to each county of the apportionment, made to the several counties, at the times and in the manner provided by this act and the act to which this act is a supplement.

(a) See section 61.

Miscellaneous Laws.

INDUSTRIAL SCHOOLS.

1. Whenever any board of education, school committee or other like body of any city, town or township in this State shall certify, or shall have certified, to the Governor that a sum of money not less than three thousand dollars has been contributed by voluntary subscriptions of citizens, or otherwise as hereinafter authorized, for the establishment in any such city, town or township, of a school or schools for industrial education, it shall be the duty of the said Governor to cause to be drawn by warrant of the Comptroller by himself out of any moneys in the State treasury not otherwise appropriated, an amount equal to that contributed by the particular locality as aforesaid for the said subject, and when any such school or schools shall have been established in any locality as aforesaid, there shall be annually contributed by the State, in the manner aforesaid for the maintenance and support thereof a sum of money equal to that contributed each year in said locality for such purpose; *provided, however*, that the moneys contributed by the State as aforesaid to any locality shall not exceed in any one year the sum of seven thousand dollars.

Sum appropriated by state equal to amount contributed by locality.
P. L. 1906, Chap. 20.

Proviso.

2. All moneys raised and contributed as aforesaid shall be applied under the direction of the Board of Trustees, organized as hereinafter provided, to the establishment and support of schools for the training and education of pupils in industrial pursuits (including agriculture), so as to enable them to perfect themselves in the several branches of industry which require technical instruction.

Money to be applied under direction of trustees.
Ibid.

Local tax.
Ibid.

3. Any city, town or township shall have power to appropriate and raise by tax for the support of any such school therein, such sum of money as they may deem expedient and just.

Trustees of
industrial
schools.
P. L. 1895,
Chap. 294.

4. There shall be a Board of Trustees of each of such schools, which shall consist of the governor and the mayor or other chief executive officer of the city, town or township in which such school is located, as *ex-officio* members, and eight other persons to be chosen and appointed by the Governor as follows: Within thirty days after the passage of this act the Governor shall choose and appoint eight persons, resident in the city, town or township in which such school is located, as members of such Board of Trustees for the following terms: (a) two for the term of one year, two for the term of two year, two for the term of three years and two for the term of four years; and thereafter two trustees shall be appointed in like manner each year for a full term of five years; and the official terms of all trustees in office at the time of the passage of this act shall terminate and expire upon the making of the appointment aforesaid, and the trustees appointed hereunder shall take office immediately upon their appointment, and shall continue in office until their successors are appointed, and any vacancy that may occur in the said Board of Trustees shall be filled by appointment in like manner for the unexpired term only; the said Board of Trustees shall have control of the buildings and grounds owned and used by such schools, the application of the funds for the support thereof, the regulation of the tuition fees, the appointment and removal of teachers, the power to prescribe the studies and the exercises of the school and rules for its management, to grant certificates of graduation, to appoint some suitable person treasurer of the board, to frame and modify at pleasure such by-laws as they may deem necessary for their own government;

Powers.

Treasurer.

they shall report annually to the State and local Boards of Education their own doings and the progress and condition of the schools.

5. The said trustees shall receive no compensation for their services, but the expenses necessarily incurred by them in the discharge of their duties shall be paid upon the approval of the Governor.

Compensation.

6. The trustees of schools for industrial education, to be hereafter appointed by the Governor of this State for full terms under and by virtue of the acts to which this is a supplement or the supplements thereto, shall serve for terms of four years and not for terms of five years as now required by law.

Term of office of trustees.
P. L. 1896,
Chap. 48.

7. The Board of Trustees of the schools for industrial education, provided for and organized under the act to which this is a supplement, be and they are hereby created a body corporate under the name and style of "The Board of Trustees of Schools for Industrial Education," with the right of perpetual succession, to sue and be sued, to purchase, lease and hold personal and real property, and to sell and mortgage the same, and with power to accept donations and bequests of money, and property to be used for the purposes for which said boards are constituted and organized.

Trustees of industrial schools created bodies corporate.
P. L. 1890,
Chap. 9.

1. Whenever in any city of this State the board of trustees of schools for industrial education shall acquire by deed, gift, grant, devise or otherwise, the sum of one hundred thousand dollars, to be expended for the purchase of land and erection and equipment of a building or buildings to be used for the purposes for which said board is constituted, and whenever any such board of trustees of schools for industrial education in said city shall certify, or shall have certified, to the Governor that a sum of money not less than three thousand dollars has been contributed by voluntary subscriptions of citizens, or otherwise, as hereinafter authorized, for the establishment in said city of a school or schools for industrial education, it shall be

State appropriation toward local industrial schools.
P. L. 1909,
Chap. 78.

the duty of the said Governor to cause to be drawn by warrant of the comptroller, approved by himself, out of any moneys in the State Treasury not otherwise appropriated, an amount equal to that contributed by the said city as aforesaid for the said object, and when any such school or schools shall have been established in any city as aforesaid, there shall be annually contributed by the State, in manner aforesaid, for the maintenance and support thereof, a sum of money equal to that contributed each year in said city for such purpose; *provided, however*, that the moneys contributed by the State as aforesaid shall not exceed in any one year the sum of ten thousand dollars.

Proviso.

Erect suitable buildings.
P. L. 1907,
Chap. 222.

1. It shall and may be lawful for the board of trustees of the school for industrial education in any city of the second class of this state, upon first obtaining the consent of the common council or other governing body of such city, to build upon land already owned by it, or to purchase land and build thereon a building or buildings, structure or structures, for the uses and purposes of a school for industrial education within its corporate limits; *provided*, that the cost and expense of the land purchased, and the building or buildings, structure or structures to be erected, shall not in the aggregate exceed the sum of fifty thousand dollars.

Proviso.

Bond issue.
Ibid.

2. To defray the cost and expense of such land and buildings, structure or structures to be erected under and in pursuance of the first section of this act, it shall be lawful for the common council or other governing body of any city of the second class in this state, to issue bonds in the corporate name of said city for the aggregate amount required by said board of trustees, in sums of not more than one thousand dollars, and not less than one hundred dollars each, to be signed by the mayor and countersigned by the clerk and sealed with the corporate seal of said city, and to have written or printed thereon the words "School for Industrial Education Construction Bonds," said bonds to be disposed

Amount.

of at not less than their par value, and shall be payable at the expiration of not more than twenty years after their date of issue, and to draw interest at a rate not exceeding four per centum per annum, payable semi-annually, and may be registered or coupon bonds, or may be registered and coupon bonds combined, at the option of said city, and there shall be raised by taxes each year the interest on the whole amount of the bonds so issued, together with at least five per centum per annum for the purpose of a sinking fund, to be paid to the commissioners of the sinking fund of said city for the purpose of meeting the said bonds as they become due; and the money raised by the issuing of said bonds shall be credited on the books of the city treasurer to the said trustees of the school for industrial education, and paid out and disbursed by the city treasurer, from time to time, on the written order or orders of said trustees, signed by their president and secretary, and countersigned by the city comptroller, in payment of the purchase price of any land purchased by said trustees, and the cost of erection of any building or buildings, structure or structures thereon for the use of a school for industrial education within the corporate limits of such city.

Time and rate.

Sinking fund provision.

SUMMER COURSES IN AGRICULTURE, MANUAL TRAINING
AND HOME ECONOMICS.

1. For the purpose of establishing and maintaining summer courses for instruction in method of teaching elementary agriculture, manual training and home economics, there shall be appropriated annually a sum not exceeding two thousand dollars; *provided*, that no money shall be expended under the provisions of this act until an appropriation therefor shall have been made in the annual appropriation bill.

Appropriation.
P. L. 1908,
p. 92.

Proviso.

2. The State Board of Education shall adopt rules and regulations for establishing and maintaining sum-

Rules, regulations, places.
Ibid.

Certificates
valid to
teach.

Proviso.

Expenses,
how paid.
Ibid.

mer courses of study in elementary agriculture, manual training and home economics, and shall designate the place or places where such courses shall be provided. Certificates of graduation from such courses of study as prescribed by the State Board of Education shall be valid licenses to teach in the public schools the subjects covered by said certificates; *provided*, the holders thereof shall also hold certificates valid as licenses to teach in the public schools in which they shall be employed.

3. All expenses incurred in establishing and maintaining such courses of study and which are to be paid out of the moneys appropriated under the provisions of the act shall be paid by the State Treasurer on the warrant of the State Comptroller, on bills approved by the State Board of Education.

An Act to establish a school and to provide school facilities and accommodations in the State Prison.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

School at
state prison.
P. L. 1907,
p. 124.

1. The board of inspectors of the State Prison shall establish in said prison a school for the instruction of persons confined therein, and shall provide for said school a suitable school-room or school-rooms, together with proper furniture and equipment.

School
board.
Ibid.

2. Said school shall be under the supervision and control of a board to be known as the State Prison School Board. Said board shall consist of the principal keeper of the prison, two members of the Board of Inspectors, to be appointed annually by the board, and the moral instructors in said prison. The members of said board appointed by the Board of Inspectors shall hold office for the term of one year; *provided*, that the term of office of a member of such board so appointed shall not extend beyond his term of office as a member of the Board of Inspectors.

Proviso.

3. The State Prison School Board shall make necessary rules for the proper conduct and management of said school to be approved by the Board of Inspectors, shall appoint the teachers and fix their salaries and terms of employment, purchase the necessary text-books, apparatus and supplies, and prescribe the course of study to be pursued in said school. Said course of study shall provide an elementary education, equivalent to that provided by similar courses of study in the public schools in this State. The course of study and any changes therein shall be submitted to the State Board of Education for its approval, and no course of study shall be established until approved by said board.

Rules.
Ibid.

Teachers
and books.

Course
of study.
4. No teacher receiving a salary for services shall be employed in such school who does not possess a certificate of qualification issued under rules prescribed by the State Board of Education.

Teachers'
qualification.
Ibid.
5. The head teacher shall not be an inmate of said prison. Inmates of said prison may, with the approval, in writing, of the principal keeper, be appointed as assistant teachers.

Who may
teach.
Ibid.
6. No inmate of said prison shall be admitted as a pupil in said school except upon the written consent of the principal keeper.

Keepers'
consent.
Ibid.
7. The expenses incurred by the Board of Inspectors in providing and maintaining a school-room or school-rooms, or for the purchase of school furniture and equipment, shall be certified to the State Comptroller by said board, and the expenses incurred by the State Prison School Board in carrying into effect the purposes of this act shall be certified to said Comptroller by said school board. All expenses incurred under the provisions of this act, when properly certified as aforesaid, shall be paid on the warrant of said Comptroller out of any moneys in the State Treasury not otherwise appropriated; *provided*, that no expense shall be incurred under the provisions of this act until an appropriation

Expenses met
by State.
Ibid.

Proviso.

therefor shall have been made in a regular appropriation bill.

Annual
report.
Ibid.

8. The State Prison School Board shall report to the Board of Inspectors annually, on or before the fifteenth day of November, in regard to all matters committed to its care, and shall transmit a copy of said report to the State Board of Education.

An Act to establish Schools of Detention.

Building for
school of
detention.
P. L. 1909,
Chap. 205.

1. It shall be lawful for the boards of chosen freeholders or commissioners of any county in this State where a juvenile court is established, or may hereafter be established, to purchase suitable land and buildings, to erect the necessary buildings on land owned by said county, to be used as a school of detention for the purpose of caring for dependent and delinquent children under sixteen years of age whom it may be necessary to hold in custody by virtue of the order or direction of any Court of Common Pleas of said county, and to furnish and maintain the same; *provided*, that no such land shall be purchased, or building or buildings shall be erected, without the consent and approval of the judge of the juvenile court. Such school of detention, together with the land belonging thereto, shall constitute a special school district in said county, and shall be entitled to receive, and the county superintendent of said county shall apportion and cause to be paid to the county collector, who shall be the custodian of school moneys for said special school district, such apportionments of the State school moneys and interest and surplus revenues as are paid to public school districts in said county. When the grounds have been secured, and the buildings erected and prepared for occupancy, the general management of such school of detention and school district shall be vested in a board of direc-

Proviso.

School a
special
district.

School
moneys.

Management
of school
and district.

tors consisting of the judge of the juvenile court, the county superintendent of schools, the president or director of the board of chosen freeholders, or county commissioners, and two members of said board or commission, to be selected by the director or president thereof, and the superintendent of schools of the most populous city in said county.

2. These schools of detention shall receive also children under the age of sixteen who shall be habitual truants from school, or who shall be habitually insubordinate or incorrigible and disorderly during their attendance at school, which children shall be complained against as juvenile delinquents, in accordance with the provisions of the act entitled "An act establishing a court for the trial of juvenile offenders and defining its duties and powers," approved April eighth, one thousand nine hundred and three.

For whom intended.
P. L. 1906,
Chap. 37.

3. The said schools of detention shall be arranged and conducted, so far as practicable, for the safe custody of children committed thereto, and, so far as the length of time of their commitment permits, for their training and education for good citizenship and self-support. There shall be ample ground for farming or gardening, and shops or other means, for industrial training, and the institution shall be maintained or conducted as a home. To this end the employes provided for and selected to control and manage such school of detention shall be a superintendent, and such teachers, matrons, farmers, and other employes as in the judgment of the board of directors may be necessary for the proper maintenance of the school and grounds, and the proper care and instruction and training of the children. The said superintendent shall be a man or a woman of good moral character, and thoroughly competent to discharge the duties of the office. The said superintendent shall be selected and employed by the said board of directors of said special school district, and he or she shall reside in said school of detention or

Arrangements.
P. L. 1908,
Chap. 307.

Grounds and shops.

Officers and employes.

Superintendent.

special school district. The course of study and training for the pupils in such school of detention shall be prepared by said superintendent, or by the principal teacher of said school, subject to the approval of the board of directors and the State Board of Education. The teachers in said school shall be required to have such legal certificates to teach as are required of teachers in the public schools of the State. The principal teacher shall be the supervising principal, and the district shall be entitled to the \$600 per year now apportioned by law, or whatever sum may hereafter be apportioned to school districts under the supervision of a supervising principal. The teachers and principal of said school district shall make such reports and keep such records as are required to be made and kept in other public school districts of said county. The said superintendent shall have power to employ such additional help as may be necessary for the maintenance of such buildings and grounds, subject to the approval of the board of directors. The salaries or wages and terms of service of superintendent, matron, teachers and other employes of such school shall be determined by said board of directors. Whatever sum in addition to the money received from the State may be necessary to maintain, operate and conduct said school to pay salaries or wages of employes, and to procure supplies, shall be appropriated by the board of chosen freeholders of said county. All bills shall be paid by the custodian of school moneys of said special school district on order signed by the president and secretary of the said board of directors.

Teachers.

Supervising principal.

School records.

Salaries.

Additional funds furnished by county.

Records.
P. L. 1906,
Chap. 37.

4. It shall be the duty of the superintendent of said schools of detention to keep a complete record of all children committed thereto in a book, which record shall contain the name, address and age of each child, cause of its detention and the length of time detained, the offense alleged to have been committed by such child, if any, and any other useful data or information that may be directed to be kept by the judge of the Juvenile Court

of the county. A record shall also be kept by such superintendent of all expenditures made by the county for the care and maintenance of such school. An annual report to the board of chosen freeholders shall be made between the first and thirty-first of December in each year by the superintendent, which shall contain an itemized statement of all such expense necessary to maintain such schools, together with the number of inmates therein during each month. The judge of the Juvenile Court of said county at any time may demand, in which case it shall be the duty of the superintendent to furnish, such information as said court may require concerning the conduct, maintenance or inmates of the school of detention. Such schools shall be supplied with all the necessary teachers, help and convenient facilities for the care of the inmates thereof. All children under sixteen years of age arrested for any cause (except murder or manslaughter) and school children habitual truant or incorrigible may, by the order of the Juvenile Court, be held in the detention school until final judgment.

Furnish
information
to court.

5. For the purpose of obtaining means for the purchase of such lands and buildings, or the erection of such building or buildings for the school of detention, and the furnishing thereof, it shall be lawful for the board of freeholders or commissioners of any such county to issue and sell the bonds of said county to an amount not exceeding one-half of one per centum of the ratables of said county; said bonds shall bear interest at a rate not exceeding five per centum per annum, and the principal thereof shall be payable at a time not exceeding twenty years from their date; and such board of chosen freeholders, or county commissioners, shall establish a sinking fund, to be raised by taxation from year to year, sufficient to pay off and discharge said bonds at their maturity, and shall also include in the annual tax levy a sum sufficient to pay the interest thereon.

County may
issue bonds.
P. L. 1908,
Chap. 307.

Amount.

Rate.

Time.

Sinking fund.

Counties may
contract for
children.
P. L. 1910,
Chap. 99.

Proviso.

Proviso.

Price of
board per
week.

6. In counties of this State where the total commitments of the above classes of children during the year may be so few as, in the judgment of the board of chosen freeholders, to render impracticable, on account of the large expense involved, the building and supporting of such houses of detention within such county, it shall be lawful for such county, through its respective boards of chosen freeholders, with the consent of the judge of the Juvenile Court of said county, or the judge of the Orphans' Court, if there be no Juvenile Court, to enter into negotiations with any reputable and regularly incorporated society or institution in this State whose business it is to care for homeless or indigent or neglected children for the board and care of such children as may from time to time be committed by the said judge, or as may be placed therein by the parent or parents, guardian or guardians of any such child; *provided*, such society or institution is willing to enter into bonds to carry out in full the spirit and intent of this law as to the length of time such child or children shall be detained, the character of the physical, the mental and the moral discipline it shall receive, and the regular reports to be made; *and provided*, said children are regularly sent to the public schools in the district in which said institution is located, or are regularly sent to a school maintained and conducted by such society or institution. And the said judge, with the concurrence of the said board of chosen freeholders, is hereby authorized to fix the price to be paid per week for the board of each child so placed, not exceeding three dollars per week; the amount to be expended in clothing, medical attendance or incidentals that may be found necessary and to provide for the payment of all such expense. And such corporate society or institution, by thus accepting such children from the county, shall not thereby become a part of the public school system of the State, but retain its place and its corporate powers, and its character as a private institution

belonging to and a part of the said corporate society or institution; *and provided further*, that it shall be lawful Proviso. for the board of chosen freeholders of any county in this State to purchase lands adjoining or near any such house of detention or school, wherever the same may be located in this State, and to erect and construct proper and necessary buildings thereon for the care of homeless, indigent or neglected children, or such as may be placed in or committed thereto from said county or counties, as in this act provided; *provided further*, Proviso. that the total amount hereby authorized to be expended by the board of chosen freeholders of any county in this State for the purchase of said land, and the erection and construction of necessary buildings thereon, and the furnishing of the same, shall not exceed the sum of three thousand dollars; *and provided further*, Proviso. that it shall be lawful for, and the board of chosen freeholders of any county of this State may, in their discretion, in lieu of issuing and selling bonds of said county for the obtaining of means for the purchase of said lands and the erection and furnishing of said buildings as provided for in this act, provide by taxation for the raising and paying the cost of the purchase of said lands and the erection and furnishing of said buildings, and cause the same to be assessed and collected by tax, at the same time and in the same manner as other taxes in said county or counties are assessed and collected, a sum sufficient to pay for the same.

An Act permitting certain boards of education to convey school-houses and lands to the boroughs or other municipalities in which they are situate.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. In any borough or other municipality in this State where the board of education thereof has been or shall hereafter be authorized by vote of the qualified voters

Conveyance
of school
property to
municipality
for nominal
sum.
P. L. 1907.
Chap. 158.

of such borough or other municipality at an election held for that purpose to acquire land and erect thereon a new school-house and to dispose of an old school-house and the lot of land on which the same is erected, and the borough or other municipality in which said old school-house and land are situate shall be desirous of acquiring the same to use for public purposes, it shall be lawful for such board of education to convey said old school-house and the lot of land upon which it is erected to the borough or other municipality by its corporate name for a nominal consideration; *provided, however*, the lines of the municipality are co-extensive with the lines of the school district and a resolution, requesting such conveyance, shall have first been passed by a vote of a majority of all the members of the council or other governing body of the municipality and a resolution, authorizing such conveyance, shall have been passed by a vote of a majority of all the members of such board of education.

Proviso.

An Act to authorize the board of education of any township in this state to transfer any unused school building to the township in which said board of education is located and to empower the township committee to use said building for municipal purposes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. It shall be lawful for any board of education of any township in this State, by resolution adopted by a two-thirds vote of the members of said board of education, to transfer any building not used by it for school purposes to the township in which said board and school building is located for use by said township for municipal purposes.

2. It shall be lawful for any township committee of any township to which any school building may be transferred, to alter and remodel said building, to remove

Unused school buildings may be transferred to township.
P. L. 1907,
Chap. 49.

Remodeling and use of such building.

the same to any suitable location upon lands belonging to the township, and do and perform any act which may be necessary to put such building in proper condition, to use the same for municipal purposes of such township, and any expense incurred thereby shall be paid out of any unexpended balances or funds in the possession of the township committee.

AGRICULTURAL COLLEGE.

1. It shall be the duty of the county superintendent, at such time and place as the Commissioner of Education may appoint, to examine such candidates for state scholarships at the agricultural college as may present themselves, and the candidates shall be subjected to such examination as the faculty of the said college and the Commissioner of Education shall prescribe; and the candidates who shall receive certificates of appointment to the agricultural college in any one county shall be those who obtain, on such examination, the highest average for scholarship; and the number of certificates thus granted shall in no case exceed the number of state scholarships to which such county is entitled. (a)

Appointment of students for agricultural college. P. L. 1867, Chap. 169.

1. In order that the students in the schools in all parts of the state may receive the stimulus afforded by the opportunity to pursue the courses of study in the State Agricultural College, and in order to enable said State Agricultural College to furnish instruction gratuitously to students, residents of this state, in its several courses of study, as special courses of advanced study in the public school system of this state, there shall be sent to the said college, each year, from each county in this state, students to the number of members of assembly to which such county is entitled, to be selected and designated as hereinafter provided, who shall receive gratuitous instruction in any or all of the prescribed

Number of scholarships. P. L. 1905, Chap. 90.

As many as members of assembly.

(a) Each county is entitled to as many students as it has representatives in the legislature. P. L. 1864, Chap. 369, § 10.

Students
on vacant
scholarships.

branches of study in any of the courses of study of said state college, under the general powers of supervision and control possessed by the board of visitors of said state college. Said students so received shall be residents of this state, and shall be admitted into said state college upon the terms and subject to the rules and discipline which shall apply to all other free students of said college; and if there should be from any county more than the designated number of suitably prepared applicants in the same year, such additional applicants may, in the discretion of the board of visitors of the said State Agricultural College, be received on any vacant scholarships of any other county until the county last named shall require such scholarships, after notice has been served on the superintendent of education of the county in which such vacant scholarships existed.

Selection of
students.
P. L. 1909,
Chap. 26.

2. Said students shall be selected as follows: A competitive examination, under the direction of the city superintendents and the county superintendents of education in each county shall be held upon the first Friday in June in each year and the Saturday following, at such place or places in each county as shall be designated by the said superintendent, and the necessary traveling expenses of said examiners not otherwise provided for by law, on the approval of the president and secretary of the Board of Visitors of said State Agricultural College, shall be paid by said State College; students who apply for examination shall be examined upon such subjects as may be designated by the faculty of said college and the State Board of Education, and the said city and county superintendents shall report to the president of said college and to the Commissioner of Education the names of all such students examined as in their opinion are suitably prepared to enter said college, with their estimate of the order of excellence in scholarship shown by said students at such preliminary examination; certificates of appointment to the State

When exam-
ination held.

Subjects.

Certificates
issued by
state commis-
sioner of
education.

Agricultural College shall be issued by the Commissioner of Education to all of such students as are so found to be qualified to enter said college, and in case the vacant scholarships shall not be sufficient to receive all such successful candidates, preference in appointing to vacant scholarships shall be given to successful candidates in the order of the excellence of their examination as certified by said superintendents, and in general the regulations and provisions governing the conduct of such examinations, and the appointment of said students to said scholarships shall be subject to the control of said Board of Visitors of said college.

3. Each student so appointed and admitted to said college shall be regarded as holding a state scholarship, and for each scholarship so held there shall be due from the state to the college, on the first day of November, in each year, the sum of one hundred and twenty dollars; *provided*, that the aggregate amount due for any year for such scholarships shall not exceed fifteen thousand dollars. (a)

Amount
per student.
P. L. 1905,
Chap. 90.

Proviso.

4. In order to ascertain the number of scholarships for which payment shall be due as aforesaid, the president of said college shall in the month of October in each year make his certificate in writing, setting forth the names of the students so as aforesaid appointed and then in attendance at said college, the counties from which they were appointed and the classes in college to which they belong, or the special courses of study which they are pursuing, which certificate, when approved by the president of the board of visitors of the State Agricultural College, shall be plenary evidence of the number of scholarships for which payment shall be due,

President of
college to
certify
number of
students.
Ibid.

Approval.

(a) It was competent for the legislature to establish an agricultural college at Rutgers, and to support it out of the state's general fund, and the legislation on that subject is not infirm by reason of the constitutional provision against private, special or local legislation, or by reason of the further provision "that no donation of land or appropriation of money shall be made by the state or any municipal corporation to or for the use of any society, association or corporation." *Rutgers College v. Morgan*, 41 Vt. 460.

and on filing the same with the Comptroller of the state he shall draw his warrant upon the State Treasurer for the sum of money to which the said college may accordingly be entitled, and the State Treasurer shall pay the same as soon as proper appropriation shall have been made therefor.

Establish
short
courses.
P. L. 1905,
Chap. 55.

1. The trustees of the State Agricultural College of New Jersey be, and they are, hereby required to establish in said State Agricultural College a department which shall provide short courses in agriculture, equipped and designed for the practical education of students, in both general and specific lines of farming.

Subjects of
instruction.
Ibid.

2. Said department shall offer special instruction to students on soils, crops, fertilizers, manures, drainage, farm machinery, farm building; breeds of live-stock, stock judging, animal diseases and remedies; production and handling of milk and cream, the manufacture of butter and cheese; the growth of fruits, berries, management of orchards, market garden and vegetable crops, and insects injurious to the various plants, diseases of plants; animal nutrition, including the use of forage crops, cereal grains, fine feeds, and all other matters pertaining to general and specific lines of farm practice.

Buildings
and appa-
ratus.
Ibid.

3. Said department shall be provided with suitable buildings for stock judging, butter making, milk testing and lecture-rooms; said buildings shall be equipped with the necessary apparatus and machinery for carrying out the specific instruction provided for in section two.

Instructors.
Ibid.

4. Said trustees shall employ to conduct this department competent instructors of the necessary education and scientific acquirements, who shall teach the theoretical and practical part of the subjects herein provided for.

Appropriation.
Ibid.

5. There shall be appropriated out of the general revenues of the state the sum of twenty-four thousand dollars, to be expended in the organization, equipment and maintenance of said department, as provided for in the first four sections of this act for the current year,

and then shall be appropriated from the same fund the sum of six thousand five hundred dollars annually hereafter, beginning on the next succeeding year for the salaries, supplies and all other expenses for the maintenance of said department; *provided*, that such sum or sums shall first be appropriated in the annual appropriation bill.

Proviso.

FREE LECTURES.

1. The boards of education in cities of this state or other municipalities containing over ten thousand population according to the last census are hereby authorized and empowered to provide for the employment of lecturers on the natural sciences and kindred subjects in the public schools in any city or other municipality, in the evenings, for the benefit of workingmen and workingwomen.

Boards of education may provide. P. L. 1895, Chap. 48.

2. The said boards of education shall have the power to purchase books, stationery and other things necessary and expedient to successfully conduct said lectures, which it shall have the power to direct.

Purchase necessary apparatus, etc. Ibid.

3. No admission fee shall be charged, and at least one school in each ward or subdivision of each city or municipality, where practicable, shall be designated by the said board of education for the purpose of carrying out the provisions of this act, and at least one lecture shall be delivered during each of the months of October, November, December, January, February and March in each year, which shall be advertised in a daily or weekly paper published in said city or municipality at least ten days in advance of the delivery thereof.

No admission fee to be charged. Ibid.

Extract from an act entitled "An act concerning disorderly persons" [Revision of 1898].

4. Any person who shall enter the buildings or go upon the lands belonging to any public school district of this state, or used and occupied for school purposes by any public school in this state, and shall break, injure or deface such building or any part thereof, or the

Persons injuring school property or disturbing schools disorderly.

fences or outhouses belonging to or connected with such building or lands, or shall disturb the exercises of such public school, or molest or give annoyance to the children attending such school, or any teacher therein, shall be deemed and adjudged to be a disorderly person.

Extracts from an act entitled "An act for the punishment of crimes" [Revision of 1898].

Penalty for
bribery.

28. Any member or officer of any state, county or city government, or any member of any public board, association or commission, who shall hereafter solicit or receive either directly or indirectly, any money or valuable thing, reward or commission for his vote in the appointment or selection of any person or persons to any position in any department of any public body aforesaid, shall be guilty of a misdemeanor, and shall be punished accordingly, and be forever thereafter disqualified from holding any office of profit, trust or emolument in this state.

Penalty for
officers
having an
interest in
furnishing
supplies.

29. Any employe or person having the whole or partial control or management of any institution, the moneys for the support of which are drawn in whole or in part from the treasury of the state, or any county or city thereof, who shall be directly or indirectly interested in furnishing any goods, chattels, supplies or property of any kind whatsoever, to or for the use of any such institution, shall be guilty of a misdemeanor.

Penalty for
bribery.

30. Any person who shall directly or indirectly give, or receive, or promise, contract or agree to give or receive, any sum or sums of money, or any goods, chattels, gifts, lands or real estate, or any other thing, present or reward whatsoever, to secure or obtain, or to give out or grant the printing of blanks, notices, advertisements, or any other printing, or any other work or thing, connected with, or in or appertaining to, any office or department of the government of this state, or any office or department of the government of any county, city,

town, township, borough or other place in this state, shall be guilty of a misdemeanor.

31. Any board of chosen freeholders or any township committee, or any board of aldermen, or common councilmen, or any board of education, or any board of commissioners of any county, township, city, town or borough in this state, or any committee of any such board, committee or commission, which, or any member thereof who shall disburse, order or vote for the disbursement of public moneys, in excess of the appropriation respectively to any such board or committee; or which board or committee, or any member thereof, who shall incur obligations in excess of the appropriation and limit of expenditure provided by law for the purposes respectively of any such board or committee, thus disbursing, ordering or voting for the disbursement and expenditure of public moneys, or thus incurring obligations in excess of the amount appropriated, and limit of expenditure as now or hereafter appropriated and limited by law, shall be jointly or severally guilty of a misdemeanor; *provided*, nothing herein shall prevent any board of education from keeping open the public schools.

Penalty for exceeding appropriation.

Proviso.

32. Any member of any board of chosen freeholders, or any township committee, or any board of education in any school district, or any board of aldermen or common council in any city, or any board of commissioners of any county, township, city, town or borough in this state, who shall be directly or indirectly concerned in any agreement or contract for the construction of any bridge or building of any kind whatsoever, or any improvement whatever to be constructed or made for the public use or at the public expense, or shall be a party to any contract or agreement, either as principal or surety, between the county, township, city, town, borough or school district, as the case may be, and any other party, or who shall be directly or indirectly interested in furnishing any goods, chattels, supplies or prop-

Officials not to be interested in contracts for buildings or supplies.
P. L. 1907,
p. 292.

erty of any kind whatsoever to or for the county, township, city, town, borough or school district, the contract or agreement for which is made or the expense or consideration of which is paid by the board, council or committee of which such member is a part, shall be guilty of a misdemeanor.

Manner of
advertising
and receiving
proposals.

33. When bids or proposals for supplies or for public works or buildings or other public purposes are asked for by boards of managers having charge of any of the public institutions of this state, or by boards of freeholders, common councils, boards of works or other bodies having control of the counties, cities or other municipal bodies of this state or any department of the same, or any committees representing such boards or bodies, such boards or bodies or committees shall proceed in the manner following, to wit: said boards or governing bodies or committees shall give public notice at the time such bids or proposals are advertised of the time and place when such bids shall be received, and at such time and place the said board or governing body or committee, being in session, shall receive such bids, and thereupon immediately proceed to unseal the same and publicly announce the contents in the presence of the parties bidding or their agents, providing said parties or agents choose to be then and there present, and also make proper record of the prices and terms upon the minutes of the body; no bids shall be received previous to the hour designated in the public notice, and none shall be received thereafter; and any failure to comply with the provisions hereof shall be a misdemeanor.

STATE BOARD OF CHILDREN'S GUARDIANS.

State board
of children's
guardians;
appointment
and term.
P. L. 1895,
Chap. 165.

1. There shall be appointed by the Governor seven persons, two of whom shall be women, who shall be known as the state board of children's guardians, two of whom shall hold office for two years, two for four years

and three for six years, as shall be indicated by the Governor on making their appointment, and thereafter all appointments, except to fill vacancies in the said board, shall be for six years, and shall be made by the Governor; said board shall receive no compensation for their time or services but the actual and necessary expenses of each of them while engaged in the performance of the duties of his or her office.

Expenses met.

2. In case of the death or resignation of any member, or in case any member ceases to be a resident or citizen of this state, it shall be the duty of the Governor to fill such vacancy for the unexpired term only, and any member may be removed by the Governor for cause.

Vacancies.
Ibid.

3. Said board of children's guardians shall have and it is hereby vested with power to adopt a seal and reasonable rules and regulations; said board of children's guardians shall have the care of and maintain a general supervision over all indigent, helpless, dependent, abandoned, friendless and poor children who may now be or who may hereafter become public charges; and said board shall have the care of and maintain supervision over all children adjudged public charges, who may now be in the charge, custody and control of any county asylum, county home, almshouse, poorhouse, charitable institution, home or family, to which such child or children may be or have been committed, confined, adopted, apprenticed, indentured or bound out; said board shall have and is hereby vested with power to appoint such agents, one being a woman, and other subordinate officers as it may deem necessary; said board shall fix their compensation, subject to the approval of the Governor, and the amount paid for compensation of such agents and other officers shall not exceed the sum appropriated by the legislature for the purpose.

Power and
duty of board.
Ibid.

4. It shall be the duty of the state board of children's guardians, when any child shall become a public charge, to place such child in the care of some family within this state, with or without the payment of board, and with

Further duty.
P. L. 1902,
Chap. 160.

or without indenture; and it shall further be the duty of such state board of children's guardians to place such child in the care of some family of the religious faith of the parent or parents of such child, and during the period in which the state board of children's guardians is seeking such family for such child and until such family is secured as hereinbefore provided, it shall be the duty of the state board of children's guardians to place such child in the custody of an institution in this state for the care of children; *provided*, that the institution in which the child is placed shall be one maintained for children of the religious faith of the parent or parents of such child when such an institution exists therein; in case no institution of such religious faith exists in this state, then the said board of children's guardians shall use its discretion in providing an institution for the care of such child until a family has been secured; *provided*, that nothing in this act contained shall be construed as giving such state board the custody of any child heretofore or hereafter placed by a board of chosen freeholders in a duly incorporated charitable institution located in the county where such child shall have been committed as a public charge pursuant to an act approved March twenty-fifth, anno domini one thousand eight hundred and eighty-one, entitled "A supplement to an act entitled 'An act for the settlement and relief of the poor' (Revision), approved March twenty-fifth, one thousand eight hundred and seventy-four."

Proviso.

Proviso.

Visitations.
P. L. 1895,
Chap. 165.

5. It shall be the duty of the state board of children's guardians to visit, by its agent or agents, quarterly, all children who may be committed under this act, and also any home, asylum, institution or private family where any such child or children may be placed; said board shall report from time to time to the Governor, and make a yearly report to the Governor and legislature of the state, showing in detail the work of said board for that time.

Reports.

6. The county board of chosen freeholders of the respective counties of this state shall annually hereafter provide sufficient funds for the objects of this act in their respective counties for the support, care and education and maintenance of any child or children adjudged to be a public charge, and who shall become thereby wards of the state board of children's guardians; said sum shall not be less than one dollar and fifty cents per week for each child.

Funds provided by chosen freeholders.
Ibid.

7. It shall be the duty of the proper officers in any county, township, borough, city or other municipality in any county in the state having jurisdiction to provide in their annual budget for the expense of maintaining such children as aforesaid; said sum not to be less than one dollar and fifty cents per week for each child.

Provisions for expenses in annual budget.
Ibid.

8. It shall be the duty of every overseer of the poor or other officer in any borough, city, county, township or other municipality in any county in the state, having jurisdiction and power to do so, to commit such child or children to the care of the keeper of the almshouse or such other institution where he would commit such child or children, for the term of thirty days after the date of such commitment; thereupon he shall forthwith give a written notice of such commitment to the state board of children's guardians, which notice shall contain a description of such child, or children, embracing its or their name, age, sex, religion, faith of its or their parent or parents, date of commitment and such other information as such officer has been able to ascertain; upon such commitment being made by such officer as aforesaid, such child or children shall immediately become the ward or wards of the state board of children's guardians, and said state board of children's guardians shall thereupon, for all intents and purposes, become and be declared the legal guardian of such child, and entitled to its custody, and which right of guardianship shall supersede any right of the parents of said child, so far

Duty of overseer of poor.
P. L. 1902,
Chap. 160.

Wards of state guardians.

as its custody is concerned; but said board may surrender such right to one or both parents, if in the opinion of said board the best interests of said child will be promoted thereby, and the parent or parents are of good moral character and capable of maintaining said child; and said keeper of the almshouse or other institution shall, within forty-eight hours after such child is placed in his care, notify said board of children's guardians of the presence of said child in said almshouse or institution.

Children placed as soon as possible.
P. L. 1895.
Chap. 165.

9. It shall be the duty of the state board of children's guardians, upon receipt of the notice of the commitment of any child as hereinbefore provided, to place such child or children in the manner hereinbefore provided as soon as possible thereafter; and in no case shall said child or children who may hereafter be committed as public charges, who may be over the age of twelve months, be confined in such almshouse for a longer period than thirty days, and the keeper of such almshouse shall surrender such child or children to the care and custody of the state board of children's guardians at any time within thirty days, when surrender is demanded.

Return children to parents.
Ibid.

10. The state board of children's guardians may, in its discretion, return any child or children becoming wards of said state board to the parent or parents or other relative agreeing to assume the care and maintenance of such child or children or of sufficient ability to do so.

Until effective organization is completed.
Ibid.

11. The state board of children's guardians may, in their discretion, for the purpose of effective organization require the continuance of children in almshouses or other places where such children may be kept for a period of not longer than six months after the passage of this act.

Remain as guardians.
Ibid.

12. The state board of children's guardians shall remain the guardian of all children indentured, bound out or put forth, who may now be or may hereafter become public charges.

13. This act shall be construed liberally and for the benefit of any child or children so becoming ward or wards of such state board of children's guardians as aforesaid.

Act, how
construed.
Ibid.

Rules and Regulations

PREScribed BY THE

State Board of Education

(173)

Rules Relating to Certificates.

1. No person shall be employed as a teacher, principal or supervisor,* unless he shall hold a certificate, which certificate shall be in full force and effect in this State and valid for the position to be filled at the time he shall begin teaching under a contract entered into with a Board of Education. Any person accepting a position as teacher in any school shall, before entering upon the duties of such position, exhibit his certificate to the County Superintendent of Schools or the City Superintendent of Schools of the county or the city in which such school shall be situate.

2. Any applicant for a certificate shall be at least 18 years of age, shall file testimonials as to moral character, a physician's certificate of health, and, in case of previous experience, testimonials as to his success in teaching, and shall also present a written statement giving the places in which he has taught and the term of service in each.

3. No certificate, granted upon examination, shall be issued to any person whose percentage in any subject covered by the examination shall fall below 70 per cent. except as hereinafter specified for provisional certificates.

4. An applicant to have his certificate renewed or made permanent must file testimonials of success from his county or city superintendent, and from the president or district clerk, or secretary of the board of education under which he has been employed.

5. Certificates in force July 1, 1911, shall be renewed upon application by the State Board of Examiners, but shall be valid only as originally issued; provided, that in renewing or making

* NOTE.—The term "supervisor" includes county and city superintendents, supervising principals, principals of graded schools who devote their entire time to supervision, and supervisors of elementary or high schools. It does not include supervisors of special departments, as manual training, household economics, kindergartens, etc.

permanent such certificates the State Board of Examiners shall be governed by the rules heretofore in force.

6. There shall be two general classes of certificates, viz., State Certificates, issued by the State Board of Examiners, and city certificates, issued to graduates of city training schools. Applications for certificates should be filed with the State Board of Examiners at least one month prior to the date of the examination.

7. A State Certificate shall be valid in any district in the State, in the grades covered by said certificate.

8. A City Certificate shall be valid only in the city in which it is issued.

9. The State Board of Examiners shall issue certificates of the following classes: Elementary, Secondary, Normal School, Supervisors, Special and Provisional.

10. The State Board of Examiners may, under Rules and Regulations prescribed by the State Board of Education, revoke for cause any certificate granted by any Board of Examiners.

11. Any person holding a Supervisor's Certificate shall be deemed and taken to hold a First Grade State Certificate as required by law.

PROVISIONAL CERTIFICATES.

12. Any applicant for any class of State Certificate may, between the dates of the regular examinations, be granted a provisional certificate valid until the last of the second month following the date of the next regular examination.

13. A provisional certificate shall not be renewed except, that in the case of a person who holds no certificate valid in this State, and who is therefore required to take an examination in all the subjects specified for the class of certificate applied for, a provisional certificate may be granted which shall be valid until the fifteenth day of the month succeeding the date of the second regular examination held after the granting of said provisional certificate; provided, the applicant shall, at the first examination, pass in more than half of the subjects specified for the class of certificate applied for, and shall secure at least 70 per cent. in each subject and a general average of not less than 75 per cent.

14. Application for a provisional certificate shall be made to the county or city superintendent having supervision of the schools in which the applicant expects to teach. All provisional certificates shall be signed by the chairman and secretary of the State Board of Examiners, but shall not be valid licenses to teach unless countersigned by the superintendent by whom they are issued. A provisional certificate shall not be issued until there shall have been filed with said superintendent an application for a regular certificate valid for the grade in which the applicant expects to teach. Whenever a provisional certificate shall be issued the superintendent shall forthwith forward to the State Board of Examiners a statement setting forth the name of the person to whom it was issued, the grades for which it is valid and the date on which it was issued. He shall forward with such statement the application for the regular certificate and any credentials filed with him by the person to whom the provisional certificate was issued. Each superintendent shall keep an accurate record of all provisional certificates issued by him.

DEFINITIONS FOR PURPOSES OF CERTIFICATION.

15. A Kindergarten School is a school for children "over the age of four and under the age of seven years." (Article XII, School Law.)

16. An Elementary School is a school in which there are any or all of the first eight years of work exclusive of the kindergarten.

17. A Secondary School is a school in which there are any or all of the four years of work following the elementary school.

18. The term "year" shall mean a period of not less than nine months of twenty school days each.

19. The term "supervisor" includes county and city superintendents, supervising principals, principals of graded schools who devote their entire time to supervision and supervisors of elementary or high schools. It does not include supervisors of special departments as manual training, household economics, kindergarten, etc.

DATES AND PLACES FOR EXAMINATIONS.

20. There shall be two examinations for State Certificates each year. Said examinations shall be held on the last three Saturdays of April and the first three Saturdays in November, at places arranged for by the State Board of Examiners with the County and City Superintendents of the respective counties and cities. Other examinations may be held by the State Board of Examiners at such times and places as said Board may determine.

STATE CERTIFICATES.

21. State Certificates may be obtained either by endorsement or examination. 1. *By endorsement.* In lieu of examinations the State Board of Examiners may accept (1) the diploma of a state normal school of another state; (2) a permanent state certificate granted in another state on examination, provided, that such diploma or certificate covers work equivalent to that required in this State for the grade of certificate for which application is made; provided further, that the entrance requirements for such normal school shall have been the equivalent of those required for admission to normal schools in this State.

22. Certificates from other states shall be endorsed only on terms of reciprocity, except that normal school diplomas issued in states not having a State system of certification, and which are, therefore, unable to grant said reciprocal privileges, may be endorsed as hereinabove provided.

23. *By examination.* The diploma of an approved college, any New Jersey County or State Certificate in full force and effect, or which shall have been in full force and effect in this State within one year next preceding the date of the examination, and any credit heretofore given by any Board of Examiners shall be accepted in lieu of an examination in the subjects covered by such diploma or certificate or by such credits; provided, that in considering the recognition to be given to such certificate and credits, the State Board of Examiners shall be governed by the rules heretofore in force.

24. Records from approved universities or colleges or approved summer schools, of the satisfactory completion of a

course of study in any professional subject required for any grade of certificate, may be accepted by the State Board of Examiners in lieu of the examination in such subject, provided the record of the same be submitted under seal or affidavit of the institution.

25. The order in which the subjects shall be taken at an examination shall be determined by the State Board of Examiners.*

ELEMENTARY CERTIFICATES.

26. *Limited.* An applicant for a limited elementary certificate, upon examination, shall be examined in the following subjects:

Orthography,	Business Forms,
Reading,	Geography,
Grammar,	United States History, with
Composition,	Civics,
Literature for the grades,	General History,
Arithmetic,	Physiology and Hygiene,
Penmanship,	Drawing.

27. After September 1, 1912, the applicant must have had one year of a course in an "approved" high school, after 1913, two years; after 1914, three years, and after 1915 must be a graduate of such school.

28. This certificate shall be valid for one year, at the end of which it may be renewed without examination for two years.

29. *Permanent.* A limited elementary certificate may be made permanent after three years of successful teaching in this State, and after an examination in the following required subjects:

Psychology,	Physics,
Physical Training,	Elementary Algebra,
Manual Training, or House-	Theory and Practice of
hold Economics,	Teaching.
History of Education,	

And any three of the following electives:

* For schedule see last page, 185.

Botany,
Chemistry,
Vocal Music,
Zoology,

Agriculture,
Plane Geometry,
Astronomy.

30. An elementary certificate shall entitle the holder to teach in an elementary school.

SECONDARY CERTIFICATES.

31. *Limited.* An applicant for a limited secondary school certificate shall hold a diploma from an approved college, or a diploma from an approved four year high school teachers' course of a State normal school, or shall be the holder of a New Jersey Permanent Elementary State Certificate; and, in addition thereto shall be examined in such of the following subjects as are not covered by such diploma or certificate:

Psychology with special refer-	Physiology and Hygiene,
ence to teaching,	Principles of Secondary
History of Education,	Education.

And the subject or subjects to be taught.

32. This certificate shall be valid for one year, at the end of which it may be renewed without examination for two years.

33. A secondary certificate shall entitle the holder to teach in a secondary or in an elementary school.

34. *Permanent.* A limited secondary school certificate may be made permanent after three years of successful teaching.

SUPERVISORS' CERTIFICATES.

35. *Limited.* An applicant for a limited supervisors' certificate shall be at least twenty-five years of age, shall hold a New Jersey elementary or secondary certificate, or the equivalent thereof, shall have had at least five years experience in teaching, shall have been principal or supervisor of a school or schools employing at least five assistant teachers for at least one year, and shall present testimonials of his executive ability from the county or the city superintendent and the president, district clerk

or secretary of the board of education under which he has been employed and shall pass an examination in School Organization.

36. *Permanent.* A limited supervisor's certificate may be made permanent after three years of successful experience as a supervisor.

37. A Supervisor's certificate shall be valid for any supervisor's position, and in addition thereto, to teach in any branch of study covered by such certificate.

SPECIAL CERTIFICATES.

38. *Limited.* A limited special certificate may be issued to teach in an evening school and to teach :

Kindergarten,	Cooking,
Modern Languages,	Sewing.
Physical Training,	Agriculture,
Music,	Bookkeeping,
Drawing,	Stenography and Typewriting,
Manual Training,	Penmanship,

and such other industrial or vocational branches as may be determined by the State Board of Examiners.

39. An applicant for a special certificate shall be examined in the subject or subjects to be taught, and for Kindergarten, Modern Languages, Bookkeeping, and Evening Schools, shall be a graduate of a four-year approved high school course, or the equivalent.

40. This certificate is valid for one year, at the end of which it may be renewed without examination for two years.

41. *Permanent.* A limited special certificate may be made permanent after three years of successful teaching.

42. A special certificate shall entitle the holder to teach or supervise any grade in the subject or subjects covered by such certificate.

43. Kindergarten shall include Kindergarten Drawing and Kindergarten Music.

44. Drawing shall include Plane Geometry.

45. Bookkeeping shall include Commercial Arithmetic, Commercial Law and Business Practice.

46. Manual Training shall include Mechanical Drawing.

47. Cooking shall include Household Chemistry, Physiology and Hygiene.

48. Sewing shall include dressmaking.

49. Penmanship shall include Theory and Practice of Penmanship, Orthography and English Grammar.

50. Music shall include History of Music, Methods in Music and Musical material used in schools. An applicant for a Music Certificate must also file testimonials from two qualified teachers of Music.

51. Stenography and Typewriting shall include English Grammar, Composition and Orthography.

52. Modern Languages shall include Psychology, History of Education, Theory and Practice.

NORMAL SCHOOL CERTIFICATES.

53. A certificate for either the two-year or the three-year normal course shall rank as an elementary certificate.

54. A certificate for efficient special work in any subject to the extent of two elective units shall rank as a special certificate in that subject.

55. A certificate for the high school teachers' course of four years shall rank as a secondary certificate for the subjects covered by it.

56. A Kindergarten-Primary certificate shall be valid for a Kindergarten and the first three primary years.

57. A Normal certificate may be made permanent after two years of successful teaching under such certificate.

PLAN OF EXAMINATIONS.

58. *Readers.* The State Board of Examiners shall appoint readers who shall hold secondary certificates or their equivalent. The number of Readers, their term of service and their compensation shall be fixed by the State Board of Education.

59. *Preparation of Questions.* The work of preparing questions for the examinations shall be done under the supervision of the State Board of Examiners.

60. *Conduct of the Examinations.* The examination shall be held simultaneously, under the personal supervision of the County and City Superintendents of Schools. Questions shall be in sealed envelopes, which shall be broken at the times indicated thereon, and in the presence of the applicants.

61. Each applicant shall write his name and address upon a card and shall seal the same in a numbered envelope. The envelope shall be collected by the person in charge of the examination and forwarded by him to the Commissioner of Education. The applicant shall mark each sheet of his examination paper with his assigned number, but shall not write his name or any distinguishing mark upon his paper nor upon the outside of the envelope which contains his name and address. This envelope shall not be opened until all the papers have been duly examined, and under conditions hereinafter stated.

62. When all the applicants shall have completed the examination in a given subject, the County Superintendent shall seal the papers in double envelopes, writing upon the inner envelope the subject and place of examination. This package shall be immediately sent to the Commissioner of Education.

63. *Readers.* The Readers shall mark the papers, upon the basis of 100 credits, and shall make a record of the papers, distinguishing them by their numbers. This record for each of the numbers, signed by the reader, shall be sealed in an envelope and sent to the Commissioner of Education. No reader shall affix any mark upon the papers which might tend to influence the examiners.

64. The Commissioner of Education shall retain the reports of the readers, sealed until all readers have made their reports.

65. The sealed reports of the readers shall be opened by the State Board of Examiners and the result of the examination for each subject recorded.

66. *Identifying Applicants.* The numbered envelopes containing the names of the applicants shall not be opened except at a

meeting of the State Board of Examiners, and not until the markings, according to the distinguishing numbers, are fully completed by the readers. The names shall then be substituted for the numbers.

67. *Records.* The State Board of Examiners shall keep a record of all the certificates it shall grant and shall report the same to the State Board of Education.

68. County and City Superintendents shall report all certificates held by the teachers under their supervision to the Commissioner of Education, who shall keep a record of the same.

69. County and City Superintendents shall file all contracts, rules and regulations of Boards of Education concerning the employment of teachers, and keep an accurate record thereof.

70. *District Clerk.* The District Clerk of each school district shall, within ten days after a contract with a teacher shall have been made, forward to the County Superintendent of Schools a copy of such contract, if the same shall be in writing, but if such contract shall have been made under rules adopted by the Board of Education said District Clerk shall report to the County Superintendent of Schools the name of such teacher, the term and position for which he shall be employed, the amount of salary and the class and date of his certificate.

71. Each Board of Education which shall adopt rules governing the employment of teachers in accordance with the provisions of section 106 of the School Law, shall file a copy of such rules, and any amendment thereof, or supplement thereto, with the County Superintendent of Schools.

ORDER OF EXAMINATIONS, MAY AND DECEMBER.

<i>First Saturday.</i> 9: 15 A. M.	<i>Second Saturday.</i> 9: 15 A. M.	<i>Third Saturday.</i> 9: 15 A. M.
LIMITED ELEMENTARY.		
Arithmetic Penmanship	General History Business Forms	Composition Literature for the Grades
PERMANENT ELEMENTARY.		
Psychology *Astronomy	Manual Training *Botany *Zoology	History of Education *Chemistry
SECONDARY AND SUPERVISOR.		
Principles of Secondary Education School Organization		
SPECIAL.		
Kindergarten Kindergarten Drawing Kindergarten Training Kindergarten Music Stenography, Typewriting, in- cluding English Grammar, Composition and Orthography.	Manual Training, including Mechanical Drawing Music History of Music Methods of Music Music Material Commercial Arithmetic Commercial Law	Latin French
1: 15 P. M.	1: 15 P. M.	1: 15 P. M.
LIMITED ELEMENTARY.		
Orthography Reading English Grammar	U. S. History with Civics Geography	Drawing, Physiology and Hygiene
PERMANENT ELEMENTARY.		
Physical Training, *Agriculture Household Economics	Theory and Practice Elementary Algebra *Vocal Music	Physics *Plane Geometry
SPECIAL.		
Cooking, including Household Chemistry Sewing, including Dressmaking	Bookkeeping Business Practice †Penmanship	Drawing, including Plane Geometry German Spanish Greek

* Electives; three are required.

† Special Penmanship includes Orthography, English Grammar and Theory and Practice of Penmanship.

COUNTY SUPERINTENDENTS.

1. Each County Superintendent shall visit the schools in his county as often as may be necessary; *provided*, that he shall visit every school under his jurisdiction at least once in each year; *provided further*, that the total number of visits made during the year shall equal at least twice the number of schools under his

jurisdiction, the additional visits to be made to such schools as, in his judgment, most need his encouragement and advice. At such visits he shall inquire into the management, methods of instruction and discipline in such schools; note the condition of the school-houses, sites, buildings and appurtenances, examine the course of study, text-books and school libraries, and recommend to and counsel teachers as to proper studies, methods, discipline and management for the schools.

2. The County Superintendent shall distribute promptly all documents, forms, laws, circulars and instructions which he may receive from the Commissioner of Education or the State Board of Education.

3. The County Superintendent shall see that the decisions of the Commissioner of Education and the State Board of Education, upon controversies arising under the School laws of the State or under the rules and regulations prescribed by the State Board of Education are obeyed; and in case such decisions are not obeyed he shall so inform the Commissioner of Education and state the circumstances.

4. The County Superintendent shall preserve carefully all reports of school officers and teachers, and at the close of his official term shall deliver to his successor all records, books, documents, papers and property belonging to the office.

5. The County Superintendent shall not be agent for or be in any way pecuniarily or beneficially interested in the sale to the board of education of any school district under his supervision of any text-books, maps, charts, school apparatus or supplies of any kind, or receive compensation or reward of any kind for any such sale or for unlawfully promoting or favoring the same. Any County Superintendent who shall violate this provision shall be subject to removal from office.

6. The County Superintendent shall meet each board of education in his county at least twice each year, at such times and places as he may appoint.

7. The County Superintendent shall, in the manner now provided by law, and subject to the approval of the Commissioner of Education, prepare and establish a uniform course of study and a standard of graduation in the schools under his supervision.

8. The County Superintendent shall, by such means as he shall deem most practicable, establish a County Pedagogical Library, and shall, subject to the approval of the Commissioner of Education, designate courses of pedagogical reading.

9. The Commissioner of Education shall furnish blank diplomas to be awarded by County Superintendents to all pupils who shall successfully complete the prescribed course of study; also diplomas suitable to be granted to such teachers as shall prove that they have intelligently completed the courses of professional reading prescribed for their respective grades.

10. The Advisory Committee shall, subject to the approval of the State Board of Education, prepare rules for the examination of applicants for the position of County Superintendent; shall conduct such examinations and shall report its findings to said board at its regular meeting in June.

11. Each County Superintendent in his annual report to the Commissioner of Education shall specifically report as to whether the provisions of Section 230 of the School Law relating to the display of the United States Flag during school hours, and whether section 265 relating to Flag Day on the fourteenth day of June, in each year, have been complied with in the various school districts therein, and shall annually, and at such other times as he may deem advisable, direct the attention of the boards of education therein to the necessity of complying with the provisions of said sections. He is also directed to recommend that in each school the daily exercise shall include a salute to the United States flag, and shall include in his report a statement of the observance of this custom.

TEACHERS' INSTITUTES.

1. The Commissioner of Education shall secure instructors, prepare programs and provide a county institute for each county of the State, but shall hold joint institutes wherever practicable. General sessions of such institutes may, if deemed advisable, be held during each forenoon, but the afternoon session shall be divided into either two or three departments, in which the instruc-

tion given shall be adapted to the several grades of teachers in attendance.

2. No public school in the State shall be in session, or shall be deemed to be in session, during the period the institute for the county in which it is situate shall be held.

3. All teachers shall attend the annual institute held for the county in which they are teaching; and no deduction shall be made from the salary of any teacher for the time he shall be in attendance upon said institute.

4. The Commissioner of Education shall pay all expenses incurred in connection with each county institute, but only upon the presentation of itemized and certified bills, and shall render to the State Board of Education both an itemized and a summarized account of the amount expended, accompanied with appropriate vouchers.

5. The County Superintendent shall make all necessary local arrangements for the county institute, shall preside at the same, shall render an exact statement to employing boards as to the time each teacher in the county has been in attendance at said institute, and no teacher shall be paid for time not in actual attendance at the said institute, except upon the presentation of a written excuse from the County Superintendent.

TEACHERS.

1. The order or warrant for the balance of salary due any teacher at the time of closing the school for the summer vacation shall not be delivered to such teacher until the district clerk or other officer authorized to deliver such order or warrant shall have received written notice from the Commissioner of Education that such teacher has filed his or her register and report of attendance with him; *provided*, that in any school in which more than one teacher shall be employed, the principal thereof shall file the registers and reports; *and provided further*, that in any district having a superintendent or a supervising principal the filing of the registers and reports with such superintendent or supervising principal shall be deemed to be a compliance

with the provisions of this rule, and said superintendent or supervising principal shall forward the registers and reports to the Commissioner of Education.

SCHOOL ATTENDANCE.

1. For the purpose of apportionment a day shall consist of not less than four hours of actual school work, except in kindergartens one continuous session of two and one-half hours may be considered a day. Night school sessions shall be reckoned as half days.

2. The mere presence of a pupil at roll call will not be considered as sufficient attendance to be a compliance with the intent of the law. A pupil must be present at least one hour during any forenoon, afternoon or evening session in order to be recorded present.

3. No attendance is to be marked in the register for the days during which the school shall be closed, but a report shall be made to the Commissioner of Education at the end of the year stating in detail the days on which the schools were closed and the reasons therefor. The attendance for days when the school shall have been closed for good cause will be computed by said Commissioner of Education, and all that the teacher is required to do is to note in the register on each day the school shall be closed, the reasons why a session of the school was not held.

4. Whenever a dwelling shall be quarantined by order of the board of health, notice shall be sent to the Commissioner of Education of the date when the quarantine went into effect and the date when it was raised, with a certificate from the board of health stating the reasons for the quarantine. Children residing in the building quarantined, who shall be actually on roll in the school at the time the building shall be quarantined, excepting children who are ill, shall be counted as present during the time the building shall be quarantined. The allowance for attendance lost by pupils quarantined will be added to the total attendance of the district by the Commissioner of Education at the end of the school year. The Commissioner of Education shall prepare and distribute blank forms for carrying this rule

into effect, and the notice provided for in this rule shall be forwarded on said forms as soon as possible after said quarantine shall be raised.

5. When schools do not have regular half-day classes, the rainy day session may be the length of the usual morning session.

SCHOOL LIBRARIES

1. In each city school district all selections of books of reference, books for school libraries, school apparatus and educational works of art, purchased in part by State funds, shall be approved by a committee of five persons, consisting of the city superintendent of schools, if there be one, two principals of public schools in such city to be appointed by said city superintendent, and two residents of the city to be appointed by the Board of Education. If in any such city there shall be a public library, with a regularly appointed and qualified librarian who shall be able to serve, said librarian shall be a member of such committee, in which case the Board of Education shall appoint one resident of the city on such committee instead of two as is hereinbefore provided. In any city school district not having a city superintendent of schools, the county superintendent of schools of the county in which such city shall be situate, shall be a member of said committee, and shall appoint said principals.

2. In each township, incorporated town and borough school district, all selections of books of reference, books for school libraries, school apparatus and educational works of art, purchased in part by State funds, shall be approved by a committee consisting of the county superintendent of schools for the county in which such district shall be situate, the President of the Board of Education, the principal of the school for which the purchases shall be made, and the supervising principal of the district, if there be one. If in any such school district there shall be a public library, with a regularly appointed and qualified librarian, who shall be able to serve, said librarian shall also be a member of such committee.

APPROVAL OF HIGH SCHOOLS.

1. Those schools shall be classed as high schools which require for admission the successful completion of eight years of graded pre-academic work, or its equivalent, said pre-academic work to be approved by the State Board of Education.

2. High schools that fully meet the standards set by the State Board of Education shall be classed as "Approved High Schools."

3. In order to be approved, a high school must meet the following conditions:

(a) All the regular courses of study must cover four full years of school work, and must be approved by the State Board of Education.

(b) The teaching and equipment must be approved by the State Board of Education, but such approval will not be granted unless three years of high school work are in actual operation.

(c) The teaching force must be adequate in number, and shall, in every case, consist of at least three teachers, each of whom shall be engaged exclusively in high school work.

(d) Diplomas shall be granted only to pupils who shall have completed a full four-year course, aggregating at least seventy-two (72) academic counts. The counts shall be reckoned in accordance with the number of recitations per week of a school year of at least thirty-eight weeks, and the recitation periods shall average at least forty minutes.

4. A three-year high school will be registered as a "Partial High School" in case it meets the following conditions:

(a) All the regular courses of study must cover three full years of school work, and must be approved by the State Board of Education.

(b) The teaching and equipment must be approved by the State Board of Education, but said approval will not be granted unless at least two years of high school work are in actual operation.

(c) The teaching force must be adequate in number, and shall consist in every case of at least two teachers, each of whom shall be engaged exclusively in high school work.

(d) Certificates of graduation shall be granted only to pupils who have completed a full three-year course, aggregating at least fifty-four academic counts. The counts shall be reckoned in accordance with the number of recitations per week of a school year of not less than thirty-eight weeks, and the recitation periods shall average not less than forty minutes.

5. Properly certified graduates of an approved high school shall be entitled to admission, without examination, to the two-year professional courses of the State Normal Schools.

6. Properly certified graduates of a three-year partial high school shall be entitled to admission, without examination, to the three-year courses of the State Normal Schools.

7. Certificates for work done may be granted by a local Board of Education to pupils who have not completed a full four-year high school course, but such certificates shall not be granted as diplomas; and must, in each case, state the number of years' work successfully completed. Holders of such certificates shall not be ranked as graduates from any course.

APPORTIONMENT TO HIGH SCHOOLS.

1. The sum of \$400 shall be apportioned to each district for each teacher who shall have been permanently and exclusively employed in a high school in which only an approved four years' course or approved four years' courses of study are maintained.

2. The sum of \$300 shall in like manner be apportioned for each teacher who shall have been permanently and exclusively employed in a high school maintaining only an approved course or approved courses of study of not less than three years.

3. High schools maintaining courses of study which differ in scope and in the term or time required for their completion shall be classified for apportionment in accordance with their shortest course.

REGISTRATION OF PRIVATE SCHOOLS.

1. A private secondary school may, upon the request of its governing authority, be registered in the Department of Public

Instruction if, after inspection by a representative of said department, it shall be found to comply with the following conditions:

(a) It must be under the management of a corporate body, board of trustees or other responsible control.

(b) In all other respects the same standards shall apply as are prescribed by the State Board of Education for the public high schools.

2. Graduates of private registered secondary schools shall be entitled to admission to the State Normal Schools on the same terms as apply to graduates of the public high schools.

MEDICAL INSPECTION.

1. Every board of education shall appoint one or more medical inspectors of schools in its district. Every medical inspector shall be a regular practitioner of medicine, duly qualified to practice in that district and physically able to serve. It shall fix his duties in accordance with the rules of the State Board of Education and regulate his pay. The medical inspector shall be appointed for one year.

2. Two or more adjoining school districts may unite in the employment of a medical inspector for economy's sake or other reasons. Under such circumstances each district shall pay its part of the salary in proportion to the number of pupils in each district.

3. The Commissioner of Education shall provide the necessary blanks needed for carrying on the work of medical inspection and for gathering, preserving and forwarding to the State Board the statistics collected. These records are the property of the local boards and must be preserved by them. Such parts of these records as may be designated from time to time shall be filed with the Secretary of this Board.

4. Pupils sent home from school by a medical inspector, with a diagnosis of infectious or contagious disease, either actual or suspected, shall not be readmitted to their respective class-rooms until they shall present a written excuse signed by their family physician or some other regularly qualified physician, who has

examined or treated them. This rule covers cases of disease of the skin or scalp, and of purulent discharges from the eyes, nose or ears, as well as the commonly recognized diseases of an infectious or contagious nature.

5. Boards of education shall carefully conform to all rules of the local Boards of Health regarding sanitary conditions in and about school property and in the matter of quarantine.

6. A medical inspector shall use the same care and skill in examining pupils under his charge as he would in the case of private patients.

7. The time for the stated medical inspection of the schools shall be arranged in each district to suit the convenience of the school authorities and the inspectors. It is advisable that the regular visit for the detection of possible communicable diseases should be made as soon after the opening of the morning session of school as possible, in order that children suffering from such diseases may not be kept in the class-rooms and become a further source of danger to others. Emergency calls must be responded to as quickly as possible.

8. Frequency of regular inspections.

In general, local boards shall determine this point, provided, they do not fall below the following minimum requirements:

a. Rural districts, scattered school-houses.

Each school at least once a month.

b. Villages and small towns.

Each school at least twice a month.

c. Towns and cities.

At the discretion of the local boards and medical examiners, but not less than once a week.

9. At the commencement of each school year the medical inspector shall arrange to make a systematic examination of each school child in his district. This shall comprise a thorough examination of

a. Eyes, for farsightedness and nearsightedness; color blindness; squint and roughly for astigmatism if suspected; also the condition of the eyelids.

b. Ears. Acuteness of hearing. Presence or absence of discharges.

- c. Throat. Condition of tonsils. Probable adenoids. Nasal deformities or discharges.
- d. Teeth. Condition and care.
- e. Deformities. Spine, limbs, etc.
- f. Skin. Presence or absence of eruptions. Condition of scalp.
- g. Where practicable, measurements. Height, weight and chest measures. Examination of heart and lungs.

These examinations shall be made by the medical inspector himself and not left to nurses or teachers.

10. It shall be the duty of the medical inspector to immediately exclude from the class-room any pupil whom he may suspect of having any form of contagious or infectious or communicable disease. This pupil shall be sent home at once with a written statement signed by the medical inspector, stating the nature of the disease suspected, and requesting that the pupil may be seen at once by its family physician. The medical inspector shall not attend such cases professionally unless he is the regular medical attendant of the family.

11. The medical inspector shall be especially careful to comply with all rules and regulations of the local and State Boards of Health, and promptly notify the proper authorities of all cases of contagious or infectious disease.

12. The medical inspector shall, from time to time, examine into the sanitary condition of all school properties in his district and keep the board of education informed thereof. Any special work required of the medical inspector by the local board of education, such as frequent extra visits, vaccination or fumigations, shall be arranged for by mutual agreement.

13. The certificate of exemption from vaccination of any pupil shall be made by the medical inspector.

APPEALS.

1. All appeals shall be heard on the record on which the Commissioner of Education rendered his decision, which record shall be certified by him to the State Board of Education.

APPEALS—HOW AND WHEN TO BE TAKEN.

2. Appeals must be taken within thirty days after the Commissioner of Education has filed his decision. An appeal shall be taken by filing with the Commissioner and serving by registered mail or personally upon the adverse party or his attorney, a notice identifying the decision and stating that an appeal is taken to the State Board of Education from it, or from such part of it as may be specified. An affidavit setting forth the time and manner of service must be promptly filed with the Commissioner.

POINTS.

3. Within five days after an appeal is taken the appellant shall file with the Secretary of the Board and serve upon the respondent a statement setting forth the points on which he relies and a reference to the evidence and authorities, if any, in support thereof. At the same time he shall file with the Secretary of the Board, if he so desires, a written request for an oral hearing. The respondent within five days after the service of the appellant's points may file with the Secretary of the Board and serve upon the appellant an answer to his points, and if he so desires, a written request for an oral hearing.

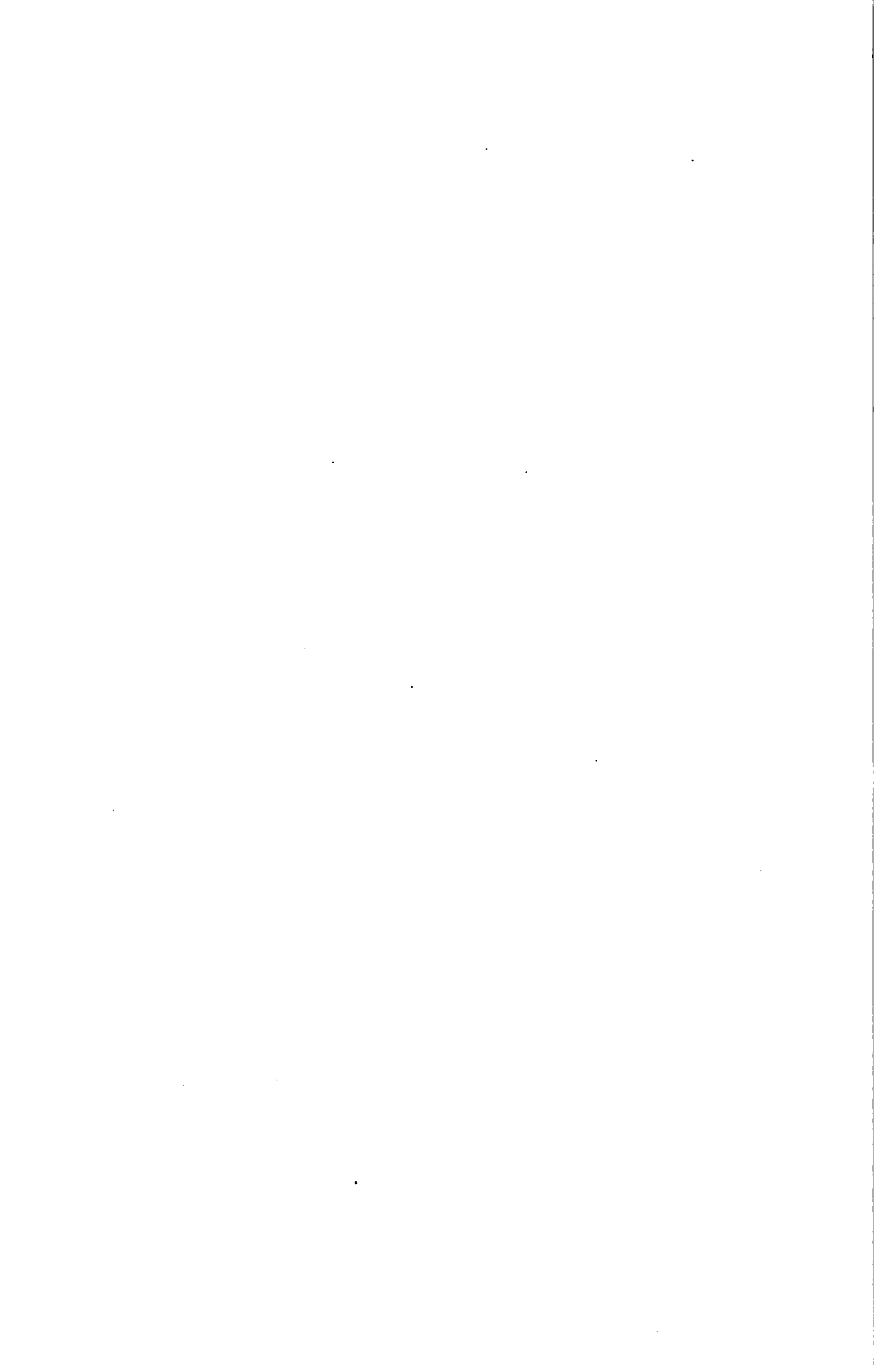
4. If answering points are served the appellant may within two days thereafter file and serve points in reply.

HEARING ON APPEAL.

5. On the fifteenth day after an appeal has been taken, the Secretary of the Board shall remit the record, certified as hereinbefore provided, the notice of appeal, the affidavit of service, the points and the requests, if any, for an oral hearing, to the Advisory Committee. Such committee shall determine whether or not an oral hearing should be held, and if so, it shall fix the time and place and notify the parties. It shall consider the appeal and recommend its conclusions to the Board.

COPIES OF RULES.

6. When a notice of appeal is filed in the office of the Commissioner of Education, he shall forthwith mail a copy of these rules to each of the parties.



Blanks and Forms
For School Officers.

(199)

Blanks and Forms for School Officers

The following Forms have been prepared for the use of all officers having duties to discharge under the School Law. Their use will secure uniformity and correctness in the transaction of financial and general school business. The literal use of these Forms is in no case essential to the validity of a school instrument. Any Form may be used which clearly expresses the objects designed, or the intention of the parties interested, and conforms in all respects to the requirements of the law, but as those annexed have been prepared with strict reference to these necessary conditions, their use is recommended. The blank spaces are to be filled to meet the varying circumstances in each case.

CALVIN N. KENDALL,

Commissioner of Education.

Forms for County Superintendents.

I. (Form No. 15.)—Transfer Certificate.

.....County.

Transfer Certificate No.....

This is to certify that....., residing in the
School District of.....County of....., has re-
ceived the consent of the County Superintendent to attend the
Public Schools in the School District of.....
County of.....

Dated....., 19...

.....
County Superintendent.

One copy should be filed with the clerk of the school district
in which the pupil attends school, and one copy with the clerk
of the school district in which said pupil resides. When the
districts are in adjoining counties, the certificate must be signed
by the County Superintendent of each county.

II. (Form No. 21.)—Notice of Institute—Postal Card.

....., N. J.,.....19..

The Teachers' Institute for.....County will be held
at....., beginning....., 19.., and closing
....., 19..

.....
County Superintendent.

RULE PRESCRIBED BY THE STATE BOARD OF EDUCATION.—“All teachers are
required to attend the Annual Institute, held for the County in which they are
teaching; and no deduction shall be made from the salary of any teacher for
the time he or she shall be in attendance upon said institute.”

III. (Form No. 22.)—Certificate of Teacher's Attendance at Institute.

.....N. J., ..., 19...
 To the Board of Education of the School District of.....
 I hereby certify that.....has been in attend-
 ance at the Annual Institute of the County, just closed, ...
 days.

.....
County Superintendent.

IV. (Form No. 25.)—Statement of Expenses.

....., N. J., ..., 19...
 To the State Board of Education:
 Herewith I submit a statement, by items, of the expenses in-
 curred by me in the performance of my official duties as County
 Superintendent of Schools for County, for the three
 months ending....., 19...

OFFICE EXPENSES.

Postage,	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Expressage,	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Stationery,	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Printing,	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.

MISCELLANEOUS EXPENSES.

.....

EXPENSES INCURRED IN VISITING SCHOOLS.

Date....., Schools,....., ...
 Date....., Schools,....., ...

SUMMARY.

Office expenses, ...
 Miscellaneous expenses, ...
 Expenses incurred in visiting schools, ...
 Total, ...
 Total number of schoolhouses in the County, ...
 Total number visited during the three months ending
 , 19...., ...
 Numbers of the schools not visited, ...
 Reasons why these schools were not visited, ...

STATE OF NEW JERSEY, }
 County, } ss.

On this day of....., 19..., before me personally
 appeared....., County Superintendent of County,
 who, on his oath, saith that the within statement is true, and that,
 to the best of his knowledge and belief, he has, during the time
 for which this statement is made, faithfully performed all the
 duties imposed by the School Law and by the regulations of the
 State Board of Education.

Sworn and subscribed before me }
 this.....day of....., 19... }

**V. (Form No. 26.)—Order on County Collector for the \$200,000 State
 School Fund Appropriation.**

OFFICE OF COUNTY SUPERINTENDENT, }
 No....., N. J., ... , 19... }
 To the Collector of.....County:

Pay to the order of, Custodian of School
 Moneys of the School District of.....
 dollars, being the amount apportioned out of the State Approp-
 riation of \$200,000, for the support of Public Schools in said
 District, for the School Year beginning July 1st, 19...
 \$.....

.....
County Superintendent.

VI. (Form No. 26A.)—Order on County Collector for the State Appropriation.

OFFICE OF COUNTY SUPERINTENDENT, }
 No....., N. J., ..., 19.... }

To the Collector of.....County:

Pay to the order of....., Custodian of School
 Moneys of the School District of.....
 dollars, being the amount apportioned out of the State Approp-
 riation for the support of Public Schools in said District, for the
 School Year beginning July 1st, 19..., in accordance with the
 provisions of section 177 of the School Law.

\$.....

.....

County Superintendent.

VII. (Form No. 27.)—Order on the County Collector for the State School Tax.

OFFICE OF COUNTY SUPERINTENDENT, }
 No....., N. J., ..., 19.... }

To the Collector of.....County:

Pay to the order of....., Custodian of School
 Moneys of the School District of.....
 dollars, being the amount apportioned out of the State School
 Tax for the support of Public Schools in said District, for the
 School Year beginning July 1st, 19...

\$.....

.....

County Superintendent.

VIII. (Form No. 28.)—Order on the County Collector for the Reserve Fund.

OFFICE OF COUNTY SUPERINTENDENT, }
 No....., N. J., ..., 19... }
 To the Collector of.....County:
 Pay to the order of....., Custodian of School
 Moneys of the School District of, ...
 dollars, being the amount apportioned out of the Reserve Fund
 for the suport of Public Schools in said District, for the School
 Year beginning July 1st, 19...
 \$.....

.....
County Superintendent.

IX. (Form No. 29.)—Order on the County Collector for the Interest of Surplus Revenue.

OFFICE OF COUNTY SUPERINTENDENT, }
 No....., N. J., ..., 19... }
 To the Collector of.....County:
 Pay to the order of....., Custodian of School
 Moneys of the School District of, ...
 dollars, being the amount apportioned out of the interest of the
 Surplus Revenue for the support of Public Schools in said Dis-
 trict, for the School Year beginning July 1st, 19...
 \$.....

.....
County Superintendent.

X. (Form No. 30.)—Order on County Collector for Balances.

OFFICE OF COUNTY SUPERINTENDENT, }
 No....., N. J., ..., 19... }
 To the Collector of.....County:
 Pay to the order of....., Custodian of School
 Moneys of the School District of, ...

dollars, being the amount of balance of the State Appropriation reapportioned to said District for the support of Public Schools, for the School Year beginning July 1st, 19. . .

\$.....

.....
County Superintendent.

XI. (Form No. 57.)—Notice to District Clerk that Teacher has filed Report.

....., N. J., ..., 19...
To District Clerk:

SIR—You are hereby notified that.....has filed.....
annual report with me, as required by law.

.....
County Superintendent.

XII. Form of Certificate Condemning a School-House.

This is to certify that I, the undersigned, have this day condemned Public School-house No.....in the School District of and County of....., as being, in its present condition, inadequate and unsuited to the number of pupils attending or desiring to attend said school. [*Here give reasons.*]

Dated this day of, 19...

.....
County Superintendent.

Approved this day of, 19..., and this order shall take effect on the day of, 19...

.....
Commissioner of Education.

NOTE.—The original should be filed with the Custodian of School Moneys, a copy retained by the County Superintendent and a copy filed with the Commissioner of Education and with the District Clerk.

BLANKS AND FORMS

XIII. Notice to the Custodian of School Moneys of Apportionment
of Balances.

OFFICE OF COUNTY SUPERINTENDENT, }
, N. J., ..., 19... }
 To the Custodian of School Moneys of the School District of
 :

The amount of balances of the State Appropriation due your
 School District, under section 183 of the School Law, is \$.....

.....
County Superintendent.

XIV. Notice to District Clerk of Apportionment of Balances.

OFFICE OF COUNTY SUPERINTENDENT, }
, N. J., ..., 19... }
 D. C., School District of :

I have this day apportioned to your District, from the balances
 of the State Appropriation, the sum of \$..... for the School
 Year beginning July 1st, 19...

.....
County Superintendent.

XV. Appointment of a President or Vice-President.

To :

The office of President (or Vice-President) of the Board of
 Education of the School District of, in the county
 of; being vacant through failure of the Board of
 Education to elect according to law, you are hereby appointed to
 fill such vacancy until the next annual meeting for the organiza-
 tion of the Board of Education in said district.

Dated this day of, 19...

.....
County Superintendent.

XVI. Notice to the Custodian of School Moneys, Directing Him to Withhold Schools Moneys from a Teacher.

To the Custodian of School Moneys of the School District of
.....:

SIR—You are hereby directed to withhold all further payment of salary to....., a teacher now employed in School No....., situated in your School District, said teacher not being in possession of a certificate [*or not having kept the School Register*], as is required by the School Law.

Dated this..... day of....., 19...

.....
County Superintendent.

Approved this.....day of....., 19...

.....
Commissioner of Education.

See note to XII.

XVII. Notice to the Custodian of School Moneys, Directing Him to Withhold School Moneys from a District.

To the Custodian of School Moneys of the School District of
.....:

SIR—You are hereby directed to withhold [*here state the amount in words*] from the school moneys apportioned to your School District [*here state the reason why the money is withheld*].

Dated this.....day of....., 19...

.....
County Superintendent.

Approved this.....day of....., 19...

.....
Commissioner of Education.

See note to XII.

Forms for City Superintendents.

XVIII. (Form No. 33.)—Application for State Aid for School Library.

.....N. J. 19..

To the Commissioner of Education:

SIR—We, the undersigned, Superintendent and Secretary of the Board of Education of the School District of....., County of....., State of New Jersey, do hereby certify that there has been raised in our district the sum of.....dollars, for the purpose of.....a school library in School No..... in said District, in accordance with the provisions of Article XXIII., section 208, of the Revised School Law, and we therefore request you to send to....., Custodian of School Moneys of said District, an order for the amount due from the State in accordance with the further provisions of said article.

.....
City Superintendent.

.....
Secretary Board of Education.

The address of the Custodian is.....

STATE OF NEW JERSEY, }
COUNTY OF..... }ss.

....., Superintendent of the School District.....
in the County of....., being duly sworn, on his oath saith
that the within statement is true.

Sworn and subscribed before me this }
.... day of....., 19... }

....., N. J., ... 19...

To the County Superintendent of Schools:

SIR—We, the undersigned, Superintendent and Secretary of the Board of Education of the School District of....., County

of, State of New Jersey, do hereby certify that there has been raised for School No. the sum of dollars, and that we have forwarded to the Commissioner of Education the application for State aid for the library in favor of said school.

.....
Superintendent.

.....
Secretary.

XIX. (Form No. 39.)—Teacher's Contract.

It is agreed between the Board of Education of in the County of and that said Board of Education has employed and does hereby engage and employ the said to teach in the public school, under the control of said Board of Education, for the term of year.. from the day of, 19. . . , at a salary of \$. to be paid in equal monthly installments; that the said shall begin teaching on the day of, 19. . . ; that the said holds a valid certificate to teach, issued in New Jersey, now in full force and effect, or will procure such certificate before the date he shall begin teaching, and that the date when said certificate will expire is the day of 19. . . , and that said teacher, before entering upon the duties of such position, will exhibit certificate to the Superintendent of Schools of the County in which such school shall be situate.

It is hereby agreed that either of said parties to this contract may, at any time, terminate said contract and the employment aforesaid, by giving to the other party [*here insert length of time*] notice in writing of its election to so terminate the same.

The said hereby accepts the employment aforesaid and undertakes that . . . he will faithfully do and perform duty under the employment aforesaid, and will observe and enforce the rules prescribed for the government of the

BLANKS AND FORMS

School by the Board of Education and the Superintendent, or Principal, or Supervising Principal.

Dated this day of, 19

.
President of the Board of Education
District Clerk. of the School District of
County of

.
Teacher.

XX. (Form No. 40.)—Application for State Manual Training Appropriation.

. N. J., ... 19
 (Post-Office Address.)

To the Commissioner of Education:

SIR—We hereby certify that for the School year beginning July 1st, 19 . . . , there has been raised by in the School District of, in the County of
, the sum of dollars for the purpose of maintaining a course of Manual Training, as approved by the State Board of Education, pursued in the schools of this district, and that said amount has been appropriated for such purpose.

This application is made in accordance with the provisions of Article XXII. of the revised School Law, and upon our certification that said course of study is being maintained as approved by the State Board of Education, and we therefore request you to draw an order in favor of Custodian of the School Moneys of said School District, for the amount due from the State, in accordance with the further provisions of said article.

.
President of the Board of Education
of the School District of,
County of

Attest:

.
Secretary or District Clerk of the Board of Education.

The address of the Custodian of School Moneys is

Forms for District Clerks.

XXI. (Form No. 3.)—Notice for Annual Meeting for the Election of Members of the Board of Education.

Notice is hereby given to the legal voters of the School District of, in the County of, that the annual School meeting for the election of members of the Board of Education will be held at, on Tuesday, the day of March, 19 . . . , at o'clock

The polls will remain open one hour, and as much longer as may be necessary to enable all the legal voters present to cast their ballots.

At said meeting will be submitted the question of voting a tax for the following purposes:

Purchase of land for school purposes

Building and repairing school-houses

Current expenses

Manual training

The total amount thought to be necessary is \$.

The following propositions will also be submitted:

.

Dated this day of March 19 . . .

.
District Clerk.

NOTE.—"A member of a Board of Education shall be at least twenty-one years of age, a citizen and resident of the School District, and shall have been such citizen and resident for at least three years immediately preceding his or her becoming a member of such Board, and shall be able to read and write."—School Law, Sec. 83.

XXII. Notice for a Special District Meeting.

Notice is hereby given to the legal voters of the School District of, in the County of, that a special School meeting will be held at, on the day of, 19, at o'clock in the noon, at which meeting will be submitted the following questions [*here particularly specify each item of business to be acted upon*]. ,

Dated this day of, 19

.....

President.

.....

District Clerk.

XXIII. Various Specifications of Business to be Transacted that may be Inserted In any Notice for District Meeting, as they may be Needed.

To authorize the board of education to purchase or take and condemn land and to erect a school-house thereon, and to purchase school furniture and other necessary equipment;

To authorize the board of education to repair, alter or enlarge a school-house already erected;

To purchase school furniture and other necessary equipment;

To raise money by district tax to pay the expenses of such erection, alteration or repair;

To authorize the board to borrow money ordered to be raised by issuing bonds in the corporate name of the district in such amounts and payable at such times as the legal voters shall direct;

To raise a district tax to defray the current expenses of the schools during the ensuing year [current expenses include principals', teachers', janitors' and medical inspectors' salaries, fuel, text-books, school supplies, flags, transportation of pupils, tuition of pupils attending school in other districts with the consent of the board of education, school libraries, compensation of the district clerk, of the custodian of school moneys and of truant offi-

cers, truant schools, insurance and the incidental expenses of the schools];

To order a district tax for the payment of a debt of..... dollars, now resting upon the school-house property;

To order the sale of the present school-house property, and to decide what disposition shall be made of the proceeds;

To authorize the board to condemn land for school purposes;

To authorize the board to renew outstanding bonds;

To see if the district will reduce the number of members of the board of education;

To see if the district will agree to establish a union-graded school;

To order a district tax for manual training.

XXIV. Order of Business at a District School Meeting.

1. Choose a chairman and secretary.
2. Read the notice calling the meeting.
3. Report of district clerk.
4. Appointment of tellers by the chairman.
5. Transaction of the business for which the meeting was called, as set forth in the notice.
6. Miscellaneous business.
7. Adjournment.

XXV. (Form No. 12.)—Order on Custodian of School Moneys for Teachers' Salaries.

No., N. J., ..., 19..

To, Custodian of School Moneys of the School District of..... County of....., State of New Jersey:

Pay to the order of....., Teacher, ...dollars, being the amount of salary due for teaching in Public School No.

....., of said School District of, from,
19.. to, 19..

\$.... .., *President.* } *Board of Education of the*
....., *District Clk.* } *School District of*

I hereby certify that the Teacher in whose favor this order is drawn, is in possession of a Teacher's Certificate, in full force and effect, and has properly kept the School Register, as required by law, and that I have certified thereto in said Register.

.....
District Clerk.

NOTE.—Money raised by district tax can be used for such school purposes as are specified at the meeting at which the money is ordered. All other school money must be reserved for the payment of teacher's salary, fuel, bills, transportation of pupils and tuition of pupils in adjoining districts.

Payments can be made only for the support of those schools that conform in all respects to the provisions of the School Law, and to those teachers only who possess certificates in full force and effect, covering the time for which salary is demanded, and who have kept the school register in the manner prescribed.

The Custodian of School Moneys should invariably refuse to pay orders until he is satisfied that all these conditions have been complied with.

XXVI. (Form No. 13.)—Order on the Custodian of School Moneys for District Tax Raised for Other Purposes than the Payment of Teachers' Salaries.

No..... .., N. J., ..., 19...
To....., Custodian of School Moneys of the School District
of, County of, State of New Jersey:

Pay to the order of dollars, for [*here state for what purpose the money is to be paid*], out of the funds raised by District Tax now in your hands.

....., *District Clerk.* } *Board of Education School Dis-*
....., *President.* } *trict....., County of*

XXVII. (Form No. 14.)—Notice by District Clerk to County Superintendent of the Election of Members of Board of Education.

To....., County Superintendent:

SIR—The legal voters of.....at the annual school meeting held on the.....day of March, 19..., elected.....as members of the Board of Education in the place of....., whose terms had expired.

The Board of Education now consists of—

	<i>Name.</i>	<i>Address.</i>				
Mr.			whose term expires	19...		
"			"	"	"	19...
"			"	"	"	19...
"			"	"	"	19...
"			"	"	"	19...
"			"	"	"	19...
"			"	"	"	19...
"			"	"	"	19...

The Board has organized by the election of Mr..... as President, Mr.....as Vice-President, and Mr..... as District Clerk.

.....
District Clerk.

NOTE.—This notice should be sent to the County Superintendent within five days after the organization of the Board.

XXVIII. (Form No. 17.)—Report of District Clerk to County Superintendent of the Amount of District School Tax Ordered to be Raised.

To..... County Superintendent County:

The following is a copy of the notice delivered to the Assessor as required by law:

To Assessor of County :

A meeting of the legal voters of the School District of the.....
of.....in the County of.....was held at.....
a convenient public place within the District, on the.....day
of.....19..., pursuant to notice, setting forth the time,
place and object of said meeting, and specifying.....dollars
as the amount of money thought necessary to be raised. The Dis-
trict Clerk, as directed by the Board of Education at a meeting of
said Board held on the.....day of....., 19...,
posted copies of the notice calling said meeting, one
copy thereof being posted on each school-house in the district, and
one copy thereof at each of the following-named public places
therein:
on the day of....., 19... The said legal
voters so met, by the consent of a majority of those present,
ordered raised by special district tax.....dollars for the purpose
of..... and..... dollars for the purpose of.....
and.....dollars for the purpose of.....amounting in
all to dollars, which sum is not in excess of the
amounts set forth in the notices for said purposes. The vote was
taken by ballot and the ballots, tally sheet, poll list and statement
of the result of said meeting having been filed with the County
Superintendent of Schools in the manner required by law, you are
therefore directed to assess the said sum of.....dollars on
the inhabitants of said School District, and their estates, and the
taxable property therein, pursuant to the statute in such case
made and provided.

Dated this..... day of....., 19...

.....

District Clerk.

STATE OF NEW JERSEY, }
COUNTY OF..... } ss.

....., being duly sworn, on his oath saith that
he is the District Clerk of the School District of the.....of
.....in the County of....., and that the above
statement by him is correct and true.

Sworn and subscribed before me this.....day of
, 19...

.....

XXIX. (Form No. 17.)—Certificate of the Amount of School Tax Voted to be Raised in a School District, to be Delivered by the District Clerk to the Township Assessor.

To Assessor of County:

A meeting of the legal voters of the School District of the....
of.....in the County of was held at.....
 a convenient public place within the District, on the.....day
 of....., 19.., pursuant to notice, setting forth the time,
 place and object of said meeting, and specifying.....dollars
 as the amount of money thought necessary to be raised. The
 District Clerk, as directed by the Board of Education at a meet-
 ing of said Board held on the.....day of....., 19..,
 posted.....copies of the notice calling said meeting, one
 copy thereof being posted on each school-house in the district, and
 one copy thereof at each of the following-named public places
 therein:
 on the day of....., 19.. The said legal
 voters so met, by the consent of a majority of those present,
 ordered raised by special district tax.....dollars for the pur-
 pose of.....and.....dollars for the purpose of.....
 and.....dollars for the purpose of.....amounting in
 all to.....dollars, which sum is not in excess of the
 amounts set forth in the notices for said purposes. The vote was
 taken by ballot and the ballots, tally sheet, poll list and statement
 of the result of said meeting having been filed with the County
 Superintendent of Schools in the manner required by law, you are
 therefore direct to assess the said sum of.....dollars on
 the inhabitants of said School District, and their estates, and the
 taxable property therein, pursuant to the statute in such case
 made and provided.

Dated this..... day of....., 19..

.....

District Clerk.

STATE OF NEW JERSEY, }
COUNTY OF..... } ss.

....., being duly sworn, on his oath saith that he is the District Clerk of the School District of the.....of in the County of....., and that the above statement by him is correct and true.

Sworn and subscribed before me this.....day of 19...

.....

NOTES TO XXII AND XXIII.—The certificate must state for what object or objects the money is raised. 3 Vroom 444. If more than one object is specified, the amount of money apportioned to each must be stated. 7 Vroom 89.

A district tax ordered for the purpose of "maintaining a school" is illegal. The express purpose, as specified in section 95, for which the money is to be used must be stated and voted upon.

The law requires that notice of the above action should also be sent to the County Superintendent.

—

XXX. (Form No. 20.)—Affidavit to Bills Presented to a Board of Education.

STATE OF NEW JERSEY, }
.....COUNTY, } ss.

....., of full age, being duly sworn, on his oath saith that the goods or services itemized in the annexed bill have been delivered or rendered; that no bonus has been given or received by any person or persons in connection with the same; that the same is correct and true, and the amount therein stated is justly due and owing as set forth.

Sworn and subscribed before me, }
this.....day of....., 19.... }
..... D. C.

FOR SCHOOL OFFICERS.

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XXXI. (Form No. 32.)—Application for State Aid to Establish a School Library.

..... N. J., ... 19...

To the Commissioner of Education:

SIR—We, the undersigned, President and District Clerk of the Board of Education of the School District of....., County of....., State of New Jersey, do hereby certify that there has been raised for School No..... the sum of..... dollars, for the purpose of..... a School Library in said School, in accordance with the provisions of Section 208 of the Revised School Law, and we therefore request you to send to....., Custodian of the School moneys of said District, an order for the amount due from the State in accordance with the further provisions of said act.

The address of the Custodian is.....

....., <i>President</i> ,	}	<i>Board of Education of the School District of..... County.</i>
....., <i>District Clerk.</i>		

NOTE.—The money raised in the district may be by special tax, subscription or entertainment. The money thus raised, together with that received from the State, can be expended for library books, books of reference, apparatus or educational works of art. The law does not admit of its being used to purchase text-books.

The first appropriation is twenty dollars, and subsequent appropriations ten dollars each.

STATE OF NEW JERSEY, }
..... COUNTY, } ss.

..... District Clerk of the School District of....., in the County of....., being duly sworn, on his oath saith that the within statement is true.

Sworn and subscribed before me, this	}	
..... day of....., A. D. 19...		

....., N. J., ... 19...

To the County Superintendent of Schools:

SIR—We, the undersigned, President and District Clerk of the Board of Education of the School District of....., County

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of....., State of New Jersey, do hereby certify that there has been raised for School No..... the sum of..... dollars, and that we have forwarded to the Commissioner of Education the application for State aid for the library in favor of said school.

.....
President.

.....
District Clerk.

XXXII. (Form No. 129.)—Report of Purchases Made for School Library.

....., 19...

To the Commissioner of Education:

I hereby report that the following purchases have been made for our School, with the amount raised in the District, and the appropriation received from the State.

.....
District Clerk.

NOTE—This report must be made in order that the district may be entitled to future payment. It should give the names and prices of the several articles purchased.

XXXIII. (Form No. 39.)—Teacher's Contract.

It is agreed between the Board of Education of....., in the County of..... and....., that said Board of Education has employed and does hereby engage and employ the said..... to teach in the..... public school, under the control of said Board of Education, for the term of..... year..... from the..... day of....., 19..., at the salary of \$....., to be paid in..... equal monthly installments; that the said..... shall begin teaching on the..... day of....., 19...; that

the said.....holds a valid.....certificate to teach, issued in New Jersey, now in full force and effect, or will procure such certificate before the date..he shall begin teaching, and that the date when said certificate will expire is the..... day of....., 19..., and that said teacher, before entering upon the duties of such position, will exhibit.....certificate to the.....Superintendent of Schools of the county in which such school shall be situate.

It is hereby agreed that either of said parties to this contract may, at any time, terminate said contract and the employment aforesaid, by giving to the other party [*here insert length of time*] notice in writing of its election to so terminate the same.

The said.....hereby accepts the employment aforesaid and undertakes that...he will faithfully do and perform..... duty under the employment aforesaid, and will observe and enforce the rules prescribed for the government of the School by the Board of Education and the Superintendent, or Principal, or Supervising Principal.

Dated this.....day of....., 19...

.....
District Clerk. *President of the Board of Education*
 of the School District of.....
 County of.....

 Teacher.

NOTE.—One copy of the contract must be filed with the County Superintendent, one copy with the District Clerk and one copy retained by the teacher.

XXXIV. (Form No. 40.)—Application for State Manual Training Appropriation.

.....N. J.,.....19...
 (Post-Office Address.)

To the Commissioner of Education:

SIR—We hereby certify that for the School year beginning July 1st, 19..., there has been raised by.....in the School

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District of....., in the County of....., the sum of.....dollars for the purpose of maintaining a course of Manual Training, as approved by the State Board of Education, pursued in the schools of this district, and that said amount has been appropriated for such purpose.

This application is made in accordance with the provisions of Article XXII. of the revised School Law, and upon our certification that said course of study is being maintained as approved by the State Board of Education, and we therefore request you to draw an order in favor of.....Custodian of the School Moneys of said School District, for the amount due from the State, in accordance with the further provisions of said article.

.....
*President of the Board of Education
 of the School District of.....,
 County of.....*

Attest:

.....,
Secretary or District Clerk of the Board of Education.

The address of the Custodian of School Moneys is.....

XXXV. (Form No. 137.)—Bond to be issued for Loan.

SCHOOL BOND

No..... Bond of School District of the....of....
 \$...... County of....., N. J.

Know all men by these presents that "The Board of Education of the.....of....., in the County of.....," in the State of New Jersey, is justly indebted unto....., or bearer, in the sum of.....dollars, lawful money of the United States of America, to be paid to the said.....or bearer, on the.....day of....., 19..., at the.....bank at....., N. J., with interest therefor from the date hereof, at the rate of

.....per centum per annum, payable semi-annually, on the
days of and.....in every year, at the
 bank aforesaid, on the presentation of the annexed coupons, as
 they shall severally become due.

This is one of a series of coupon (a) bonds issued by the Board
 of Education of above School District, amounting in the aggre-
 gate to.....dollars, numbered from.....to....., both in-
 clusive; and all of said bonds have been issued for money bor-
 rowed by said Board under the provisions of Article VII. of an
 act entitled "An act to establish a thorough and efficient system
 of free public schools and to provide for the maintenance, support
 and management thereof," approved October 19th, 1903, and by
 the consent of the inhabitants of said.....lawfully given, at
 a meeting lawfully held, on....., 19...

In witness whereof, on the.....day of.....in the year
 nineteen hundred and....., this bond is signed by the Presi-
 dent of the Board of Education of the.....of....., in
 the County of....., and attested by the District Clerk, under
 the seal of the Board.

.....
President.

Attest:

.....
District Clerk.

[SEAL.]

[Form of Coupon to be attached to the above Bond.]

SCHOOL BOND.

Board of Education of the.....or....., County of.....:

Interest warrant for.....dollars, payable at the.....
 bank of.....N. J., to bearer....., 19..., for six months'
 interest on Bond No....

....., D. C.

(a) Bonds may be registered or coupon. If registered the bond should so
 state and the coupons omitted.

XXXVI. (Form No. 55.)—Notice to the Assessor of Amount of Tax to be Raised for Bonds and Interest.

To.....Assessor of.....County:

A meeting of the legal voters of the School District of the.....
of.....in the County of.....was held at.....
a convenient public place within the District, on the.....day
of, 19..., pursuant to notice, setting forth the time,
place and object of said meeting, and specifying.....
dollars as the amount of money thought necessary to be raised by
the issue of bonds for the purpose of providing adequate and suit-
able school accommodations for the pupils attending or desiring to
attend school in said District. The District Clerk, as directed by
the Board of Education, posted.....copies of the notice
calling said meeting, one copy thereof being posted on each school-
house in the district, and one copy thereof at each of the following-
named public places therein:.....
on the.....day of....., 19... The said legal voters
so met, by the consent of a majority of those present, ordered
raised by the issue of School District bonds.....dollars, and
said legal voters also determined the denomination of said bonds
and the time or times of payment thereof. The amount of said
bonds so authorized to be issued was not in excess of the amount
set forth in the notices. The vote was taken by ballot, and the bal-
lots, tally sheet, poll list and statement of the result of said meet-
ing having been filed with the County Superintendent of Schools
in the manner required by law. The proceedings authorizing said
issue of bonds were approved by the Attorney-General as required
by law. You are therefore directed to assess on the inhabitants
of said School District, and their estates, and the taxable property
therein, pursuant to the statute in such case made and provided,
the sum of.....dollars, being the amount of principal and
interest due on said bonds during the year for which said assess-
ment shall be made.

Dated this.....day of....., 19...

.....

District Clerk.

STATE OF NEW JERSEY, }
 COUNTY OF..... } ss.

....., being duly sworn, on his oath saith that he is the District Clerk of the School District of the..... of..... in the County of..... and that the above statement by him is correct and true.

Sworn and subscribed before me this.....day of....., 19....

.....

XXXVII. (Form No. 55.)—Notice to County Superintendent of Tax for Bonds and Interest.

To.....County Superintendent.....County:

The following is a copy of the notice delivered to the Assessor as required by law:

To....., Assessor of.....County:

A meeting of the legal voters of the School District of the.... of..... in the County of..... was held at..... a convenient public place within the District, on the..... day of....., 19.., pursuant to notice, setting forth the time, place and object of said meeting, and specifying..... dollars as the amount of money thought necessary to be raised by the issue of bonds for the purpose of providing adequate and suitable school accommodations for the pupils attending or desiring to attend school in said District. The District Clerk, as directed by the Board of Education, posted.....copies of the notice calling said meeting, one copy thereof being posted on each school-house in the district, and one copy thereof at each of the following-named public places therein: on the.....day of....., 19.. The said legal voters so met, by the consent of a majority of those present, ordered raised by the issue of School District bonds.....dollars, and said legal voters also determined the denomination of said bonds and the time or times of payment thereof. The amount of said bonds so authorized to be issued was not in excess of the amount set forth in the notices. The vote was taken by ballot and the

ballots, tally sheet, poll list and statement of the result of said meeting having been filed with the County Superintendent of Schools in the manner required by law. The proceedings authorizing said issue of bonds were approved by the Attorney-General as required by law. You are therefore directed to assess on the inhabitants of said School District, and their estates, and the taxable property therein, pursuant to the statute in such case made and provided, the sum of.....dollars, being the amount of principal and interest due on said bonds during the year for which said assessment shall be made.

Dated this.....day of....., 19...

.....
District Clerk.

STATE OF NEW JERSEY, }
 COUNTY OF..... } ss.

....., being duly sworn, on his oath saith that he is the District Clerk of the School District of the..... of.....in the County of.....and that the above statement by him is correct and true.

Sworn and subscribed before me this.....day of....., 19....

.....

XXXVIII. (Form No. 61.)—Directions for Bonding a District.

1. There must be a regularly-called meeting of the Board of Education, of which meeting all the members must have had notice. The notice may be given verbally or by mailing a written notice. If the latter, the notice must be mailed in ample time to be received before the time fixed for the meeting. At that meeting the Board of Education must decide on the amount of money thought to be necessary. If land is to be purchased, the Board of Education must decide upon the site or sites it thinks suitable. It must also decide upon the time for holding the District Meeting, and the form of the resolution to be inserted in the notices to be posted by the District Clerk, and the places,

other than the school-houses, where such notices shall be posted. Full minutes of the meeting must be kept. The Board should adjourn to meet as soon as possible after the District Meeting, and at such adjourned meeting should adopt resolutions necessary to carry into effect the resolutions adopted by the legal voters.

2. If it is the intention to submit to the legal voters more than one proposition, the Board of Education should adopt a full set of resolutions for each proposition, which should appear in the notices and be placed on the ballots. If this is done, and the legal voters reject one proposition and adopt the other, the number and amount of bonds to be issued will agree with the expenditures authorized by the legal voters. All propositions submitted must be printed on the same ballot.

3. The District Clerk must post the notices ordered by the Board of Education at least ten days before the date of the meeting of the legal voters; the day the notices are posted cannot be counted in the ten days. The notices must state the time and place of the District Meeting, and all business that is to be acted upon. If land is to be purchased, or to be condemned, the plot or plots thought to be suitable by the Board of Education must be described in the notices. A resolution authorizing the Board of Education to purchase a lot will not authorize it to secure the lot by condemnation. The Board of Education may submit more than one site, in which case each plot must be described in the notices. The notices must also state the amount of money thought to be necessary. The notices must not state the denomination of the bonds and times of payment, as these items are by law to be determined by the District Meeting. The notices must also state that the question of authorizing the Board of Education to issue bonds will be submitted. A copy of the notice must be posted on each schoolhouse in the district, and at such other places as may be designated by the Board of Education. Not less than seven notices must be posted.

4. The District Meeting must decide the amount of money to be raised, and also decide what portion of the money so ordered shall be used for the purchase of land, and what portion for building, furniture and other necessary equipment. The cost of fenc-

ing, grading and supplying drinking water is to be included in the appropriation for the erection of the school-house, it should not be made a separate item. The total amount ordered raised must not exceed the sum named in the notices. The District Meeting must also decide how many bonds shall be issued, the denomination of each bond, and the time of its payment, but should not fix the rate of interest, as the law gives that power to the Board of Education, but not to exceed six per cent. It cannot select a site unless it has been submitted by the Board of Education in the notices. The meeting may, however, reject all the sites offered. All votes in the District Meeting must be by ballot. The ballots must contain in full the several propositions voted on. Full minutes of the meeting must be kept.

5. The chairman must appoint two tellers to receive and count the ballots. The secretary must keep a poll-list of the voters, and a tally-sheet of the ballots as counted. The tally-sheet must be signed by the chairman and tellers and, with the ballots, be placed in a package, endorsed with the name of the district, the name of the county in which the district shall be situate, and the date on which the meeting shall have been held. The package must be sealed as soon as the ballots are counted and the tally sheet signed, and before leaving the place where the election was held, forwarded to the County Superintendent of Schools within five days after the date of the meeting, together with a statement of the result of the meeting, signed by the chairman and secretary. Envelopes for this purpose can be obtained from the County Superintendent.

6. Two copies of the minutes of both meetings of the Board of Education, attested by the District Clerk; two copies of the notices posted, attested by said clerk; two copies of the minutes of the District Meeting, attested by the secretary of the meeting, and two copies of each kind of ballot used, attested by the secretary of the meeting, must be sent to this office—one copy to be approved by the Attorney-General and the other to be filed in this office. When it is intended to borrow the money from the State School Fund, an application must accompany the copies of the proceedings. Blank forms to be used for the reports of the proceedings and for application for loan from State School Fund may

be obtained from the County Superintendent of Schools. In making reports, only such business as relates to the purchase of land, building, furnishing and equipping the school-house and bonding the district need be inserted in the copies of the minutes of the meetings of the Board of Education and legal voters. In the blank for the report of the proceedings of the District Meeting, a resolution is inserted for the purchase of land, in making the report when land is not ordered to be purchased, the resolution for the purchase of land should be crossed out with red ink, also in the application for the loan from the State School Fund.

7. The approval of the Attorney-General must be secured before bonds can be legally issued, whether the money is to be borrowed from the State School Fund or from private parties.

8. When district bonds have been issued, the District Clerk must, when any bond is paid and canceled, forward said canceled bond to this office, as required by law.

9. Blank bonds will be furnished by this office.

FORM OF BALLOT.

.....District School Meeting

.....
(Name of District.)

.....19...

1. *Resolved*, That the Board of Education be authorized to purchase as a lot on which to build a school-house, the plot of land situate as follows:.....

.....
The cost of said land shall not exceed the sum of.....dollars.

2. *Resolved*, That the Board of Education be authorized to erect a school-house on said plot of land, and to purchase for said school-house the school furniture and other necessary equipment. The cost of said school-house, furniture and equipment shall not exceed the sum of.....dollars.

3. *Resolved*, That for the purpose of securing the money needed to purchase said land, to erect said school-house, and purchase said furniture and equipment, the Board of Education be

authorized to issue.....bonds of the District in the corporate name of the District, in the denomination of.....dollars each.

4. *Resolved*, That one bond shall be issued for.....year, one for.....years, one for.....years.

Notice to Voters.

To vote for the resolutions leave them as they are printed.

To vote against any resolution cancel the same with ink or pencil.

(The following note is not to be printed on the ballot.)

NOTE.—If a choice in the plot of land on which to erect the school-house is offered, make a separate resolution for each plot with the word *or* between the resolutions, and add to the “notice to voters” the following: *Do not vote for both resolutions for purchase of land.*

If authority to condemn is requested the notice and ballots must contain the words “take” and “condemn.”

MINUTES OF THE MEETING OF THE BOARD OF EDUCATION.

Pursuant to notice given to each member, the Board of Education of the.....of.....in the County of.....met at.....on the.....day of.....19...., at.....o'clock in the.....There were present Messrs.....

On motion of Mr.....the following preamble and resolutions were adopted:

WHEREAS, In the judgment of this Board, the school accommodations now provided in this district are inadequate and unsuited to the number of pupils attending or desiring to attend school; and

WHEREAS, It is the opinion of this Board that in order to provide adequate and suitable school accommodations, a plot of land should be secured, a new school-house erected, and school furniture and other necessary equipment purchased, and that the amount necessary for the foregoing is thought to be the sum of.....dollars; therefore

Resolved, That a meeting of the legal voters of the school district be held at.....on the.....day of 19..., at.....o'clock in the..... and that the District Clerk be and is hereby directed to post a copy of the notice calling said meeting on each school-house in the district, and a copy at each of the following-named public places in the district, to wit:.....

Resolved, That there shall be stated in said notices the following items of business to be acted upon at said meeting:

To authorize the Board of Education to purchase,* as a lot on which to erect a school-house, the plot of land situate as follows:

The cost of said plot shall not exceed the sum of.....dollars.

To authorize the Board of Education to erect a school-house on said plot of land, and to purchase for said school-house the school furniture and other necessary equipment. The cost of said school-house, furniture and equipment shall not exceed the sum of.....dollars.

The amount of money thought to be necessary for the foregoing is.....dollars.

To authorize the Board of Education to borrow the money ordered to be raised by issuing bonds in the corporate name of the district, in such amounts and payable at such times as the legal voters shall direct.

On motion of Mr.....the Board adjourned to meet at.....on.....the.....day of.....19..., at.....o'clock.....

District Clerk.

STATE OF NEW JERSEY, }
COUNTY OF.....} ss.

.....being duly sworn, on his oath saith that he is the District Clerk of the Board of Education of the.....

* If authority to condemn is requested the words "or take and condemn" must be inserted.

BLANKS AND FORMS

.....of.....in the County of.....
, that said Board consists of.....
 members, and that it is incorporated under section 84 of an act
 entitled "An act to establish a thorough and efficient system of
 free public schools, and to provide for the maintenance, support
 and management thereof," approved October 19th, 1903, and that
 the foregoing is a true copy of the proceedings and resolutions
 had and adopted by said Board of Education at a meeting held on
 the.....day of.....19.., so far
 as said proceedings and resolutions relate to the calling of the
 meeting of the legal voters of said district, to be held on the....
day of.....19.., and that notice of the
 time and place of said meeting was given to each member of said
 Board on the.....day of.....19..,
 in the following manner:

.....
 [Here insert how notice was given. If written, append copy.]

Sworn and subscribed before }
 me, this..... }
 day of.....19.. }

.....

NOTICE.

Notice is hereby given to the legal voters of the School District
 of the.....of....., in the County of.....
 that a.....meeting of the legal voters of said School District
 will be held at....., on the.....day of.....,
 19.., at.....o'clock in the....., at which meeting the
 following items of business to be acted on will be submitted:

To authorize the Board of Education to purchase,* as a lot on
 which to erect a school-house, the plot of land situate as follows:

* If authority to condemn is to be granted the words "or take and condemn"
 must be inserted.

.....

 The cost of said plot shall not exceed the sum of
 dollars.

To authorize the Board of Education to erect a school-house on said plot of land, and to purchase for said school-house the school furniture and other necessary equipment. The cost of said school-house, furniture and equipment shall not exceed the sum of dollars.

The amount of money thought to be necessary for the foregoing is.....dollars.

To authorize the Board of Education to borrow the money ordered to be raised by issuing bonds in the corporate name of the District in such amounts and payable at such times as the legal voters shall direct.

.....
District Clerk.

Dated....., 19..

STATE OF NEW JERSEY, }
 COUNTY OF..... } ss.

.....being duly sworn, on his oath saith that he is the District Clerk of the Board of Education of the..... of.....in the County of....., that there are..... school-houses in said district, and that he posted.....copies of a notice, of which the foregoing is a true copy, on the..... day of....., 19.., one copy being posted on each of said school-houses, and one copy at each of the following-named public places in the District, as directed by the Board of Education, to wit:

.....

 that the notices were posted in all respects according to law.

Sworn and subscribed before
 me, the..... }
 day of..... 19... }

.....

DISTRICT MEETING.

The legal voters of the School District of the.....of
, in the County of, met at.....on
 the.....day of.....19..., at.....o'clock in
 the....., pursuant to legal notice, a copy of which notice
 is hereto appended.

Mr.....was elected chairman and Mr.....secre-
 tary of the meeting.

The secretary read the notice calling the meeting.

The chairman appointed as tellers Messrs.....

The following resolutions were adopted :

Resolved, That the Board of Education be authorized to pur-
 chase,* as a lot on which to erect a school-house, the plot of land
 situate as follows:.....

The cost of said land shall not exceed the sum of.....
 dollars.

The vote on this resolution was by ballot. For.....
 Against.....

Resolved, That the Board of Education be authorized to erect
 a school-house on said plot of land, and to purchase for said
 school-house the school furniture and other necessary equipment.
 The cost of said school-house, furniture and equipment shall not
 exceed the sum of.....dollars.

The vote on this resolution was by ballot. For.....
 Against.....

Resolved, That for the purpose of securing the money needed
 to purchase* said land, to erect said school-house and purchase
 said furniture and equipment, the Board of Education be author-
 ized to issue.....bonds of the District, in the corporate name
 of the District, in the denomination of:.....dollars each.

The vote on this resolution was by ballot. For.....
 Against.....

* If authority to take and condemn land is given the resolution must so
 state.

Resolved, That one bond shall be issued for.....year, one for.....years, one for.....years, one for.....years, ...

.....

The vote on this resolution was by ballot. For.....
 Against.....

The total number of names on the poll list was.....

The total number of ballots cast was.....

The total number of ballots rejected was.....

STATE OF NEW JERSEY, }
 COUNTY OF..... }ss.

.....being duly sworn, on his oath saith that he was the secretary of the meeting of the legal voters of the..... of....., in the County of....., held on the..... day of....., 19..., and that the foregoing is a true copy of the proceedings and resolutions had and adopted at said meeting; that all votes taken at said meeting were by ballot, and that he has forwarded to the County Superintendent of Schools a statement of the result of said meeting, together with a sealed package containing the ballots, poll list and tally sheet used at said meeting, as required by section 96 of the Revised School Law.

Sworn and subscribed before }
 me, this }
 day of, 19.... }

.....

BALLOT.

Here insert a copy of each style of ballot used at the meeting of the legal voters.

STATE OF NEW JERSEY, }
COUNTY OF..... }ss.

.....being duly sworn, on his oath saith that
he was the secretary of the meeting of the legal voters of the
.....of.....in the County of.....
held on the.....day of.....19..., and that
the foregoing.....true cop.....of the ballot.....used
at said meeting.

Sworn and subscribed before }
me, this }
day of.....19... } *Secretary.*

MINUTES OF THE MEETING OF THE BOARD OF EDUCATION.

An adjourned meeting of the Board of Education of the.....
.....of.....in the County of.....was held at
.....on the.....day of....., 19..., at.....
o'clock in the.....pursuant to a resolution adopted by said
Board at a meeting held on the.....day of....., 19...

There were present, Messrs.....

On motion of Mr.....the following preamble and reso-
lutions were adopted:

WHEREAS, At a meeting held on the.....day of.....
19..., the legal voters adopted resolutions authorizing this
Board to purchase a certain plot of land for school purposes; to
erect on said plot a school-house; to purchase for said school-
house the school furniture and other necessary equipment, and
to borrow the money needed for the same by issuing School
District bonds; therefore be it

Resolved, That this Board purchase from.....the plot of
land situate

at a cost not to exceed the sum of.....dollars.

Resolved, That this Board erect on said plot a school-house,
said house to be built of.....and to contain.....rooms,

and to purchase for said school-house the school furniture and other necessary equipment. The cost of said school-house, furniture and equipment not to exceed the sum of dollars.

Resolved, That for the purpose of securing the money needed to purchase said plot, to erect said school-house and purchase said furniture and equipment, this Board issue coupon bonds of the District, in the corporate name of the District, in the denomination of dollars each; that one bond shall be issued for year, one for years, ...

.....

 that the rate of interest shall be per cent. per annum, payable semi-annually on the days of and and that the principal of and interest on said bonds shall be payable at the bank at as they severally become due and payable.

Resolved, That this Board adjourn to meet at on the day of, at o'clock, to take such further action as may be necessary to carry into effect the foregoing resolutions.

STATE OF NEW JERSEY, }
 COUNTY OF } ss.

..... being duly sworn, on his oath saith that he is the District Clerk of the Board of Education of the of in the County of, and that the foregoing is a true copy of the proceedings and resolutions had and adopted by said Board of Education at a meeting held on the day of, 19...

Sworn and subscribed before }
 me this }
 day of }

.....

 Note.—In order that these papers shall be a correct record of the proceedings, cross out with red ink any item not acted on.

XXXIX. (Form No. 62.)—Application for Loan From State School Fund.

To the Trustees for the Support of Public Schools:

The Board of Education of the.....of....., in the County of....., in the State of New Jersey, ask to borrow of the Trustees for the Support of Public Schools the sum of.....dollars, for the purpose of purchasing land, erecting a school-house and purchasing school furniture and other necessary equipment, and offer as security for said loan bonds of the School District to the amount at par of said loan.

Official title of bonds, ...
.....

Original amount of issue, \$.....

Amount offered, \$.....

Date of bonds, ... Maturity, ...

Average time (*be exact*), ...years.

Rate, ... Payable, ... annually.....and.....

Denominations, \$.....

Where are principal and interest payable?.....

Registration as to principal—by whom and where?.....

Price (*be exact*)..... Yielding (*be exact*)..... %

Statistics.

Real valuation, estimated,..... \$.....

Assessed valuation, 191..., ... \$.....

Total bonded debt, including this issue,.... \$.....

Water debt, ... \$.....

School debt, ... \$.....

Sinking fund, ... \$.....

Net debt, ... \$.....

Floating debt in addition, ... \$.....

Population, 1910 census..... 191...,

Estimated, ...

Percentage of debt to valuation (*be exact*)..... %

Delivery of bonds, ...

Remarks.

We submit herewith a copy of the proceedings had at said meeting of said inhabitants, a copy of the minutes of the meeting of the Board of Education of said district at which the posting of the notices calling said meeting of the inhabitants was ordered, a copy of the notices calling said meeting duly verified by affidavit, and the approval of the Attorney-General as to the legality of said proceedings.

Dated....., N. J.,....., 19....
Pres. } Board of Education of.....
D. C. } County of.....

XL. Notice for a Meeting of the District Board of Education.

To.....:

You are hereby notified that there will be a meeting of the Board of Education of the School District of....., on evening, ... 19...., at.....o'clock, in the school-house.

[Date.]

.....
District Clerk.

XLI. Notice to be given by the Secretary of a District School Meeting to the Members-Elect.

To.....:

You are hereby notified that at the annual school meeting in the School District of....., in the County of..... held on the.....day of....., 19...., you were elected a member of the Board of Education in said district.

Dated this.....day of....., 19....

.....
Secretary of said meeting.

BLANKS AND FORMS

XLII. Form of a Lease.

Know all men by these presents, that A. B., of the.....
 of....., in the County of....., in the State of New
 Jersey, of the first part, for the consideration herein mentioned,
 does hereby lease unto "The Board of Education of the.....
 of....., in the County of.....," in the State afore-
 said, party of the second part, its successors and assigns, the fol-
 lowing-described parcel of land:

[*Here insert description of land.*]

Together with all the privileges and appurtenances thereunto
 belonging: To have and to hold the same for and during the
 term of.....years from the.....day of.....,
 A. D. 19...; and the said party of the second part, for itself, its
 successors and assigns, does covenant and agree to pay the said
 party of the first part, for said premises, the annual rent of
dollars.

In testimony whereof, the said parties have hereunto set their
 hands and seals, this.....day of....., 19...

A. B., Lessor.

....., *President.*

....., *District Clerk.*

 XLIII. Form of a Deed of a School-House Site.

Know all men by these presents, that A. B. [*and C. B., his
 wife, if married*], in the.....of....., in the County
 of....., in the State of New Jersey, party of the first part,
 for and in consideration of the sum of.....dollars, to them
 in hand paid by "The Board of Education of the.....of
, in the County of.....," and State aforesaid,
 party of the second part, the receipt whereof is hereby acknowl-
 edged, do hereby grant, bargain, sell and convey to the said party
 of the second part, its successors and assigns, the following-
 described piece of land namely:

[*Here insert description of land.*]

Together with all the privileges and appurtenances thereunto belonging: To have and to hold the same to the said party of the second part, its successors and assigns forever; and the said party of the first part, for themselves, their heirs, executors and administrators, do covenant, bargain and agree, to and with the said party of the second part, its successors and assigns, that at the time of the ensealing and delivery of these presents, they are well seized of the premises above conveyed, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law in fee-simple, and that the said lands and premises are free from all incumbrances whatsoever; and that the above bargained premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, against all and every person or persons lawfully claiming or to claim, the whole or any part thereof, the said party of the first part will forever warrant and defend.

In witness whereof, the said A. B. and C. B., his wife, party of the first part, have hereunto set their hands and seals, this day of....., A. D. 19...

Signed, sealed and delivered in	}	A. B. [SEAL.]
presence of		C. B. [SEAL.]
E. F.		

NOTE.—Such deeds should be duly acknowledged before a judge, commissioner of deeds, master in chancery or other officer authorized by law to take such acknowledgment, and recorded in the office of the county clerk. The bond and mortgage given by the Board of Education to secure payment of part of purchase-money may be in the usual forms, and for the execution of deeds, mortgages and bonds each district should have a corporate seal. Notes given for borrowed money should be in the name of the district and signed by the President and District Clerk.

XLIV. Contract for Building a School-House.

Contract made and entered into between A. B., of the County of, State of New Jersey, and "The Board of Education of the.....of....., in the County of.....," State of New Jersey.

BLANKS AND FORMS

In consideration of the sum of one dollar in hand paid, the receipt whereof is hereby acknowledged, and of the further sum of dollars, to be paid as hereinafter specified, the said A. B. agrees to build a frame school-house and to furnish the materials therefor, according to the plans and specifications for the erection of said house hereto appended, at such point in said district as the said board may designate. The said house is to be built of the best material, in a substantial, workmanlike manner; and is to be completed and delivered to said Board, free from any lien for work done or materials furnished, by the..... day of, 19...; and in case the said house is not finished in the time herein specified, the said A. B. shall forfeit and pay to the said Board, for the use of said district, the sum of dollars, and shall also be liable for all damages that may result in consequence of such failure, and said Board may finish the building and charge the cost of the same to the said A. B.

The said Board hereby agrees to pay the said A. B. the sum of dollars when the foundation of said house is finished, and the further sum of dollars when the building is ready for the roof; and the remaining sum of dollars when the said house is finished and delivered, as herein stipulated.

It is further agreed, that this contract shall not be sublet, transferred or assigned without the consent of both parties.

Witness our hands this.....day of....., 19...

A. B., *Contractor.*

....., *President.*

....., *District Clerk.*

NOTE.—In building a school-house, it is all-important to secure a plan of the building, with full specifications as to its dimensions, style of architecture, number and size of the windows and doors, quality of materials to be used; what kind of roof; number of coats of paint; of what material the foundation shall be constructed; its depth below, and its height above the surface of the ground; the number and style of chimneys and flues; the provisions for ventilation; the number of coats of plastering, and style of finish, and all other items in detail that may be deemed necessary. The plan and specifications should be attached to the contract, and the whole filed with the District Clerk. Before the building is commenced, the contract and specifications should be filed in the office of the county clerk to prevent liens. All plans and specifications must be submitted to the State Board of Education for approval, and copies of all contracts must be filed with the State Board of Education as soon as executed.

XLV. Form of Note for Money Borrowed.

....., N. J., ... 19...
 days after date, "The Board of Education of the
 of....., in the County of.....," State of
 New Jersey, promises to pay to....., or order, ...
 dollars, with interest from the date thereof, at the rate of.....
 per cent. per annum.

This note is given for money borrowed by said Board for the
 purpose of....., pursuant to the statute entitled "An Act
 to establish a thorough and efficient system of free public schools,
 and to provide for the maintenance, support and management
 thereof," approved October 19th, 1903, and by the consent of the
 inhabitants of the said district lawfully given, at a meeting law-
 fully held on....., 19...

.....
President.

Attest:

.....
District Clerk.

XLVI. Duties of District Clerk.

1. To prepare and post
 Notices for annual district meeting,
 Notices for special district meeting.
2. To prepare and deliver notices for meetings of the Board of
 Education.
3. To act as secretary of the Board of Education.
4. To record, in a book provided for that purpose, all the pro-
 ceedings of Board of Education meetings and district meetings.
5. To keep an account of the finances of the district, and to
 report at each regular meeting of the Board of Education.
6. To pay out all moneys by issuing orders on the Custodian
 of School Moneys.

7. To make a financial report to County Superintendent.
8. To make a report of the transactions of the Board for the year to the annual district meeting for the election of members of the Board of Education.
9. To prepare and forward the annual report of the County Superintendent.
10. To notify County Superintendent and township assessor of the amount of district school tax ordered.
11. To notify County Superintendent of the election of members of the Board.
12. To buy fuel, text-books and such other articles as the Board may direct.
13. To deliver to his successor all records and papers belonging to the district.

XLVII. (Form No. 34.)—Certificate that Child has Attended School.

I hereby certify that I am Principal of School No., in the of, County of, and that [*name of child*] is the [*son, daughter or ward*] of [*name of parent or guardian*], residing at [*street and city*]; that to the best of my knowledge and belief, said [*name of child*] is years of age; and said [*name of child*] has attended school under my charge, five days a week, for weeks, during the year preceding the date of this certificate.

Dated, 19....

.....
Principal.

XLVIII. Teacher's Report to the County Superintendent when Leaving a School Before the End of the School Year.

Report of the Teacher of Public School No. in the of, in the County of, for the portion of the School Year commencing 1st, 19...., and ending, 19....

[*The body of the Report same as Annual Report in the Register.*]

To....., County Superintendent for..... County:

Being about to leave my present school, I respectfully present the above record and statements as my report for the expired portion of the present School Year, as required by the laws of this State; which report I hereby certify has been carefully made out from the records contained in the School Register.

.....
Teacher.

NOTE.—The law requires that a duplicate of the above report shall be made to the District Clerk.

XLIX. Teacher's Report of the Suspension of a Pupil to the Board of Education.

To....., District Clerk of the Board of Education of the
.....of....., of the County of.....:

SIR—You are hereby notified that I have this day suspended from my school....., for [*here state the cause for suspension*].

Dated this.....day of.....19....

.....
Teacher.

NOTE.—The School law requires every suspension to be reported to the Board of Education.

Calendar for School Elections and Duties.

1. *State Board of Education*.—Meets on the first Saturday of each month.

2. *State Examinations*.—Held on the last three Saturdays in April and the first three Saturdays in November.

3. *Boards of Education*.—Elected on the third Tuesday in March, annually, must organize on the first Monday in April and should meet at least once in two months during the period that the school shall be in session.

4. *District Clerks*.—Elected to take office July first.

5. *District Meetings for Voting District Tax*.—Held on the third Tuesday in March, annually, or at the call of the Board of Education.

6. *Report of the State Board of Education to the Governor*.—On the first Tuesday in December, annually.

7. *Report of the Commissioner of Education to the State Board of Education*.—On the first Saturday in December, annually.

8. *Report of County Superintendent to the Commissioner of Education*.—On or before the first of September, annually.

9. *Report of the District Clerks to County Superintendent*.—On or before the first of August, annually.

10. *Report of Teachers to Board of Education*.—At the close of each quarter's teaching, or as directed by the rules of the Board.

11. *Financial Statement of Township Collector to Township Committee and County Superintendent*.—On or before the first of August, annually.

12. *Financial Statement of District Clerks to Township Committee*.—On or before the first of August, annually.

13. *Financial Statement of District Clerks to the County Superintendent*.—On or before the first of August, annually.

14. *Assessor Makes Returns to Collector*.—Within fifteen days after the first Monday in September, annually.

15. *State School Tax*.—To be paid to the State Treasurer on or before the twentieth day of January. To be paid to the County Collector on or before the twenty-second day of December.

16. *School Tax*.—Collected and due the Board of Education by the twenty-second day of December, annually.

17. *Apportionment of the State Appropriation to the Counties*.—Made on or before the fifteenth day of February, annually.

18. *Report of Teachers Employed*.—Made by the Board of Education to the County Superintendent on or before March fifteenth, annually.

19. *Apportionment of the State Appropriation and Township School Taxes to the District*.—Made by the County Superintendent on or before the first day of April, annually.

20. *State Appropriation*.—Two hundred thousand dollars paid in November, and the State school tax in the month of January following, the railroad tax collected paid September first, and balance October twenty-fifth.

21. *Agricultural College*.—Candidates examined by the County and City Superintendents on the first Saturday in June.

22. *School Holidays*.—First day of January, Lincoln's birthday, Washington's birthday, Good Friday, Memorial day, fourth of July, Labor day, Columbus day, Thanksgiving day, Christmas day, any day upon which a general election shall be held, and also any day set apart by proclamation of the Governor of this State or the President of the United States for the purposes of public observance.

23. *Patriotic Exercises*.—Held on the last school day preceding Lincoln's birthday, Washington's birthday, Decoration or Memorial day and Thanksgiving day.

24. *School Year*.—Commences on the first day of July and ends on the thirtieth day of June.

25. *Library Year*.—The school library year, the teachers' library year and the year for appropriations for manual training coincide with the State fiscal year, and begin on the first day of November and end on the thirty-first day of October.

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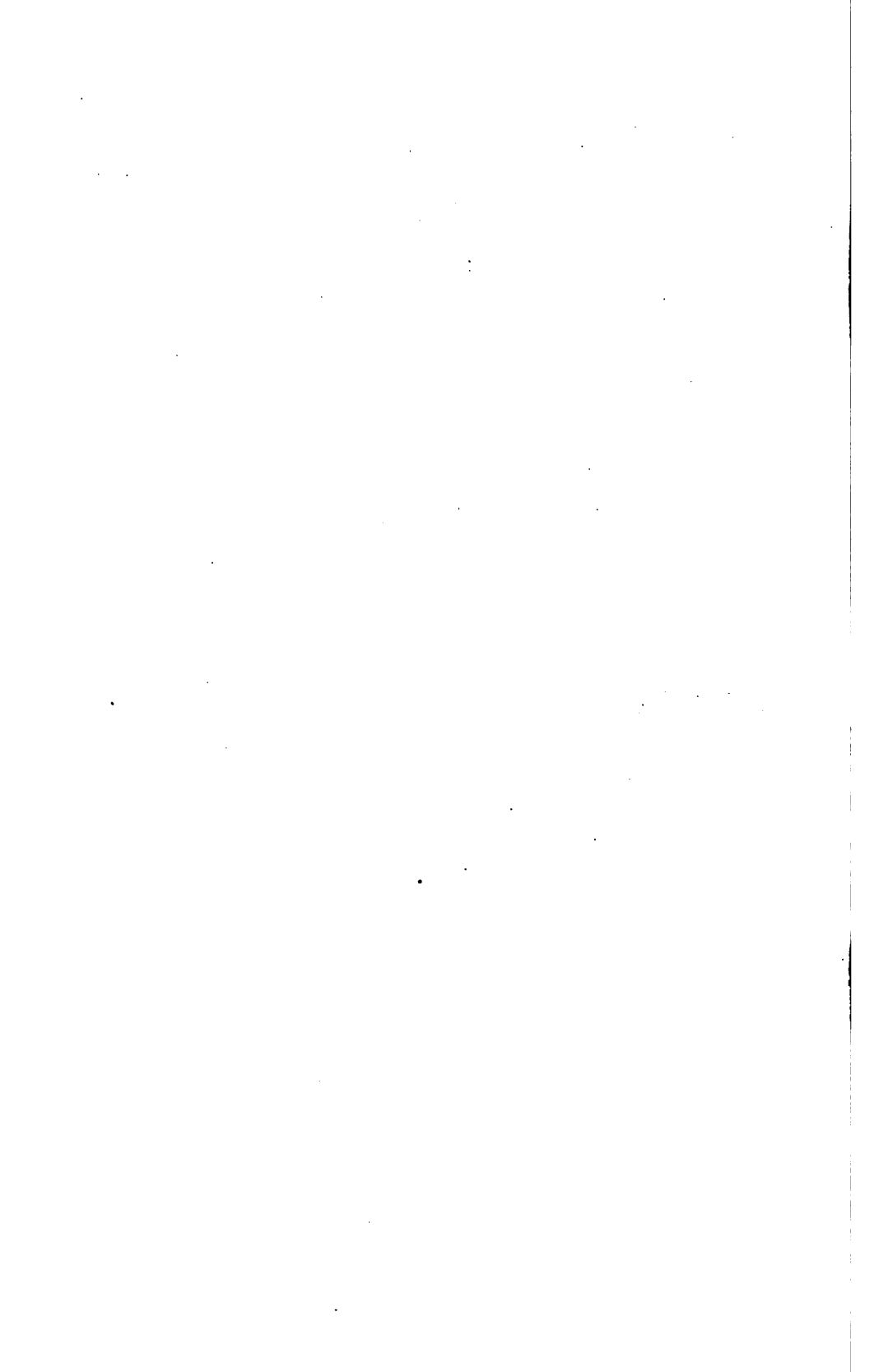
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AMENDMENTS

—TO—

SCHOOL LAW

1912



VII. Ascertain the thoroughness and efficiency of any or all public schools, and of any or all grades in them by such ways and means, tests and examinations, as to him may seem proper, whenever in his opinion or in that of the State Board of Education it is advisable to do so. Prescribe during each school term and within sixty days prior to its expiration, an examination in at least arithmetic, writing, spelling, English, history and geography, of the pupils in the highest grade in each Elementary School; *provided*, that if in any school any of said subjects is not taught in the highest grade, the examinations shall be confined to such of the said subjects as are taught or used; prepare or cause to be prepared questions for the examinations; prescribe the times and places for holding them and the rules governing them; select the superintendents, principals and teachers, who shall conduct them, and who shall mark and file such papers and such reports as may be required in the Department of Public Instruction; report to the State Board of Education the results of all tests and examinations and such other information in regard thereto as it may require. Nothing herein contained shall impair the right of each district to prescribe its own rules for promotion.

Prescribe
examinations.
P. L. 1912,
Chap. 365.

This amends paragraph VII of section 7, page 11.

22. The Commissioner of Education shall by and with the advice and consent of the State Board of Education shall appoint for each county a suitable person to be the county superintendent of schools of that county, who shall hold office for the term of three years from the date of his appointment and until his successor shall have been appointed as aforesaid, unless sooner removed for cause by said board. Each county superintendent hereafter appointed shall give particular attention to actual and personal supervision of school and shall devote his entire time to the duties of his office. No person shall be appointed as county superintendent of

Appointment
of county
superin-
tendents.
P. L. 1912,
Chap. 367.

Term of
office.

Qualifica-
tions.

schools unless he shall hold the highest teacher's certificate issued in this State and shall have been a resident of the county for which he is appointed for at least three years immediately preceding his appointment.

Salary of
county super-
intendents.
P. L. 1912,
Chap. 367.

23. The yearly salary of a county superintendent of schools hereafter appointed shall be three thousand dollars. Such salary shall be paid in equal monthly installments, and the State Comptroller shall, on the order of the Commissioner of Education, draw his warrant for such salary on the State Treasurer in favor of such county superintendents of schools.

This amends sections 27 and 28, page 17.

P. L. 1912,
Chap. 364.

The amendment to section 31 of the School Law passed in 1911 has been repealed. The section now reads as follows:

City boards
of examiners.

38. (31.) In each city school district there may be a board of examiners consisting of the superintendent of schools of such district, if there be one, and such persons as the board of education of the school district shall appoint. No person shall be appointed as such examiner unless he or she shall hold either a State certificate or the highest grade certificate issued in said district, or shall be a graduate of a college or university. Said board of examiners shall, under such rules and regulations as the State Board of Education shall prescribe, grant certificates to teach which shall be valid for all schools of such school district. No teacher shall be employed in any of the schools of such district unless he or she shall possess such certificate or a State or county certificate; *provided*, that nothing herein contained shall be construed to prevent the board of education of such school district from prescribing and requiring other and further qualifications to teach than shall have been prescribed by the rules and regulations of the State Board of Education as aforesaid; *provided further*, that if any such school district shall maintain a normal school or a training school for

Proviso.

Proviso.

teachers, which school shall have been approved as to its course of study by the State Board of Education, then the diplomas or certificates issued to pupils of any such school upon graduation therefrom may be accepted by the board of education of said school district as certificates to teach valid for the schools of such school district.

Amends section 38, page 21.

1. In every city school district except where the provisions of article seven of the act to which this is a supplement have been or shall hereafter be accepted as permitted by section two hundred and forty-four of said act and in every township, incorporated town or borough school district in which the provisions of article six of said act have been or shall hereafter be accepted, as permitted by section two hundred and forty-three of said act, the board of education shall be appointed by the mayor or other chief executive officer. Said board shall consist of five members, except where the last State or Federal census, at any time of appointment as hereinafter provided, shall show a population of forty-five thousand inhabitants or upward in such school district in which case the board shall consist of nine members. Appointments shall be made between the second and fifteenth days of January in each year and terms of office shall begin on the first day of February thereafter. In the case of boards of education consisting of five members, one member shall be appointed each year for a term of five years and until the appointment and qualification of a successor; and in the case of boards consisting of nine members, three members shall be appointed each year for terms of three years and until the appointment and qualification of successors; *provided*, that every member of a board of education in a school district affected by this supplement shall continue to serve during his term of office and thereafter until the first day of

Members of
board of
education
appointed
by mayor.
P. L. 1912,
Chap. 370.

Board in dis-
tricts with
population
of less than
45,000 to
have five
members;
45,000 or
over, nine
members.

Appointed in
January;
take office
February 1st.
Term of
office.

Proviso.

February then next ensuing; *and provided further*, that first appointment under this supplement may be for less than full terms if necessary; it being the intention to provide hereby that when this supplement shall take effect in a school district there shall be an immediate increase, if necessary, to five members or to nine members, according to the population of the school district, as above provided, and the gradual reduction to the prescribed membership as terms expire, if in any case the existing membership shall be in excess thereof, and that eventually in cases of boards of education consisting of five members, one shall go out of office each year, and in cases boards of education consisting of nine members, three shall go out of office each year. Any vacancy in such board of education shall be forthwith reported by the secretary of said board to the mayor or other chief executive officer, who shall, within thirty days thereafter, appoint a person to fill such vacancy for the unexpired term. To every such appointee said mayor or other chief executive officer shall issue and deliver a certificate of appointment. In any township school district affected by this supplement the chairman of the township committee shall for the purposes named in this section be deemed and taken to be the chief executive officer.

Vacancy;
how filled.

Organization
of board.

2. On the first day of February in each year, or on the following day if that be a Sunday, every board of education constituted by this supplement shall organize by electing one of its members as president and another as vice-president, which officers shall serve for one year and until their respective successors shall be elected.

3. Upon the organization of a board of education under this supplement, any board of education or other body in the school district affected theretofore having charge of the public schools in such school district or having custody, charge or management of any fund or property used for or in the maintaining of public schools

in such school district, and having no other function, shall be ipso facto abolished.

This repeals sections 45 and 46, page 24.

76. Whenever a city board of education shall decide that it is necessary to raise money for the purchase of lands for school purposes, or for erecting, enlarging, repairing or furnishing a school-house or school-houses, it shall prepare and deliver to each member of the board of school estimate of such school district a statement of the amount of money estimated to be necessary for such purpose or purposes; said board of school estimate shall fix and determine the amount necessary for such purpose or purposes, and shall make two certificates of such amount, one of which certificates shall be delivered to said board of education, and the other to the common council, board of finance or other body in the city having the power to make appropriations of money raised by tax in such city; said common council, board of finance or other body may appropriate such sum or sums for such purpose or purposes in the same manner as other appropriations are made by it, and said sum or sums shall be raised, assessed, levied and collected at the same time and in the same manner as moneys appropriated for other purposes in such city are raised, assessed, levied and collected; or said common council, board of finance or other body may appropriate and borrow such sum or sums for the purpose or purposes aforesaid, and may secure the repayment of the sum or sums so borrowed, together with interest thereon at a rate not to exceed five per centum per annum, by the issue of bonds in the corporate name of such city; bonds so issued shall be designated "school bonds," may be registered or coupon or both, of such denominations as the common council, board of finance or other board may determine, and shall be made payable in not more than fifty years from the date thereof; they

Appropriations for land and buildings. P. L. 1912, Chap. 57.

Statement to be given to each member of board of school estimate.

Board of estimate to fix amount of appropriation.

Appropriations; how made.

May raise amount by issue of bonds.

Sinking fund.

Bonded debt limited to three per cent, except when bonds issued to replace building destroyed by fire. Limit in such cases, $3\frac{1}{2}$ per cent.

shall be sold at public or private sale and not for less than par and accrued interest, and such city shall in its annual tax levy raise money sufficient to pay the interest on said bonds, together with at least one per centum per annum of the principal thereof, to provide a sinking fund for the retirement of said bonds at maturity; or in lieu of providing for a sinking fund for the retirement of said bonds at maturity, the bonds may be so issued that a stated equitable amount of them (in value), having regard to other school bonds already issued, shall become payable in each year beginning not more than ten years from date of the earliest issue and ending in not less than forty years from such date, and in such case there shall be raised by tax in each year such sum of money as may be necessary to pay the interest on all outstanding bonds and the principal of such bonds as may mature during that year; the proceeds of the sale of such bonds shall be deposited with the custodian of school moneys of such school district and shall be paid out only on the warrants or orders of the board of education; *provided*, that the total amount of bonds for the purposes named in this section, including bonds theretofore issued for such purposes, and not redeemed, shall not exceed at any one time a sum equal to three per centum of the taxable valuation of the real and personal property in such city; *provided*, *further*, that in the case of the repair, reconstruction, rebuilding, or erection and furnishing of a school-house to replace a school-house and furnishings thereof partially or totally destroyed by fire that the total amount of bonds for such purposes, including bonds heretofore issued for the purposes named in this section, and not redeemed, shall not exceed at any one time a sum equal to three and one-half per centum of the taxable valuation of the real and personal property in such city; *and provided further*, that if the charter of the city shall limit the amount of indebtedness in such city,

or shall by its terms prevent the carrying out of the provisions of this section, said charter provisions shall be hereafter held not to apply to the issuing of bonds under the provisions of this section.

Bond limit in charter not to apply to school bonds.

This amends section 82, page 36.

In every incorporated town school district which has, or shall hereafter have, according to any State or United States census, a population of ten thousand or over, and which has not adopted the provisions of article six of the act of which this is a supplement, the mayor or other chief executive officer shall, between the second and fifteenth days of January next after the passage of this act, appoint five persons to be members of the board of education of such district. In making his appointments, the mayor or other chief executive officer shall appoint one person to serve for one year, one person to serve for two years, one person to serve for three years, one person to serve for four years, and one person to serve for five years, and annually thereafter, between the second and fifteenth days of January, said mayor or other chief executive officer of such school district shall appoint a member of the said Board of Education to serve for the term of five years to take the place of that member whose term shall expire in such year. Any vacancy in such board of education shall be forthwith reported by the secretary of said board to the mayor or other chief executive officer, who shall within thirty days thereafter appoint a person to fill such vacancy for the unexpired term. To every such appointee as aforesaid said mayor or other chief executive officer shall issue and deliver a certificate of appointment. The term of office of a member of the board of education, except a member appointed to fill an unexpired term, shall begin on the first day of February next succeeding his appointment. The terms of office of all members of boards of education in said districts which

Appointment of boards of education in towns of 10,000 or more population. P. L. 1912, Chap. 340.

Term.

Vacancy; how filled.

Board to organize February 1st.

are affected by this act shall expire on the thirty-first day of January next after the passage of this act.

This amends section 86, page 39, so far as the selection of members of a board of education in a town of ten thousand or over is concerned.

District may
issue bonds.
P. L. 1912,
Chap. 399.

Description
of bonds.

Bonded debt
limited to
three per
cent.

97. The legal voters of any township, incorporated town or borough school district may, either at the annual meeting of said district or at a special meeting thereof called for that purpose, by the vote of a majority of the legal ballots cast, authorize the board of education to issue bonds of the district for the purpose of purchasing or taking and condemning land for school purposes, or building a school house or school houses, or making additions, alterations, repairs or improvements in or upon any school house and the lands upon which the same shall be located, and of purchasing school furniture and other necessary equipment. Such bonds shall be issued in the corporate name of the district, for such sums and in such amounts and shall be made payable in not more than thirty years from the date thereof, as directed by a majority of the legal ballots cast, with interest at a rate not exceeding six per centum per annum, payable half yearly. Said bonds may be fully registered, registered as to principal or coupon bonds (or may be registered and coupon bonds combined), and shall be signed by the president of the board of education and attested by the district clerk, shall bear the seal of the district, and if registered as to principal only or coupon bonds they shall have coupons attached for current payment of interest, which coupons shall be signed by the district clerk and shall be numbered to correspond to the several bonds to which they shall be severally attached. Bonds so issued shall be numbered and a proper registry thereof shall be kept by the district clerk. *Provided*, that the total amount of bonds for the purposes named in this section, including bonds theretofore issued

for such purposes and not redeemed, shall not exceed at any one time the sum equal to three per centum of the taxable valuation of the real and personal property in such district. Such bonds may be sold at public or private sale for the best obtainable price, but not less than par.

Sale of
bonds.

Nothing in this act shall be construed to apply to any bonds authorized to be issued by the legal voters of any school district prior to the passage or approval of this act or the act to which this act is amendatory.

This amends section **106**, page 54.

1. Any teacher, principal or superintendent who shall have been employed in the public school work not less than thirty-five years shall, upon application to the board of education or other body, or by resolution of the board of education or other body by which such teacher, principal or superintendent shall be employed, be retired from duty on half the average annual salary during the last five years of service; *provided*, such teacher, principal or superintendent shall have been employed at least twenty years by the board of education, department or other body by which he or she shall be retired, and the payments to such persons shall be made at the same time and in the same manner as to persons regularly employed.

Pensions for
teachers,
principals and
superintendents.
P. L. 1912,
Chap. 58.

Proviso.

This amends section **130**, page 66.

Public schools shall be free to all persons over five and under twenty years of age, and to such persons over the age of twenty years as the board of education of any school district may deem it wise to offer instruction, who shall be residents of the school district. Non-residents of a school district if otherwise competent, may be admitted to the schools of said district with the consent of the board of education upon such terms as said board may prescribe; *provided*, that the authority

Ages of
pupils.
P. L. 1912,
Chap. 183.

Tuition fees
authorized.

Proviso.

to charge tuition for non-resident pupils conferred by this section shall not apply to non-resident pupils transferred to any district by an order of the county superintendent of schools.

This amends section 131, page 66.

Boards of
education to
report to
county super-
intendent.
P. L. 1912,
Chap. 141.

182. The board of education of each school district shall, on or before the fifteenth day of March in each year, certify to the county superintendent of schools for the county in which such school district shall be situate, and on the blanks furnished for that purpose by the Commissioner of Education, the number of teachers, who shall have been employed in the schools of such district for the full time the schools therein shall have been kept open during the then current school year, and the number of teachers who shall have been employed in said schools for a portion of said year, but for a period of not less than four months, specifying the grade in which each of such teachers shall have been employed. There shall also be certified as aforesaid the number of pupils who shall have attended a public school in a district other than that in which they reside, and for whom tuition fees shall have been paid by the board of education, specifying the grade in which each of such pupils shall have been enrolled during said year, and also the number of such pupils for whom transportation has been provided, and the cost thereof.

Apportion-
ment of
school
moneys.

The said county superintendent of schools shall, on or before the first day of April in each year, apportion to the several school districts of said county the State school moneys, and the interest of the surplus revenue in the following manner:

Amount for
supervising
principal or
city superin-
tendent.

I. (a) The sum of six hundred dollars to each district in which there shall have been employed a supervising principal or city superintendent of schools, who shall have devoted his entire time to the supervision of the schools in such district, but if two or more districts

shall have united in employing a supervising principal as aforesaid, the six hundred dollars apportioned for such principal shall be apportioned among said districts in the proportion that the number of teachers employed in each of said districts shall bear to the total number of teachers employed in all of the districts uniting in employing said supervising principal.

(b) The sum of five hundred dollars for each teacher employed in a special class for the instruction of blind or deaf children or for children who are three years or more below the normal.

Amount for teacher in special classes.

(c) The sum of four hundred dollars for each assistant superintendent and supervisor, other than the supervising principal, employed in the district, and permanent teacher employed in a high school or high school department having a full four years' course of study, who shall have been approved by the State Board of Education.

Amount for assistant supervisor, superintendent and teacher in four-year high school.

(d) The sum of three hundred dollars for each permanent teacher employed in a high school or high school department having a full three years' course of study, which shall have been approved by the State Board of Education.

Amount, per teacher in three-year high school.

(e) The sum of two hundred dollars for each permanent teacher employed in an ungraded school, or in a kindergarten, primary or grammar department or in a high school department having a course of study of less than three full years, which course of study shall have been approved by the State Board of Education.

Amount, per teacher in other grades.

(f) The sum of eighty dollars for each temporary teacher who shall have been employed for a period of not less than four months.

Amount for temporary teacher.

(g) The sum of eighty dollars for each teacher employed in an evening school for the full time such school shall have been maintained; *provided*, the board of education shall certify that said evening school has been maintained at least four months during the school year

Amount, per teacher in evening schools.

preceding that for which the apportionment shall be made; *provided, further*, if any such teacher shall have been also employed in the day schools of the same district, the apportionment aforesaid shall be made for such teacher in addition to any amount apportioned for him as teacher in such day schools.

Amount per
pupil attend-
ing high
school in
other dis-
tricts.

(h) The sum of twenty-five dollars for each pupil who shall have attended a high school or high school department in a district other than that in which he resides, and for whom a tuition fee shall be paid by the board of education.

Amount per
pupil attend-
ing schools in
other districts
below high
school grade.

(i) The sum of five dollars for each pupil who shall have attended an ungraded school or a kindergarten, primary or grammar school department, in a district other than that in which he resides, and for whom a tuition fee shall have been paid by the board of education.

75 per cent.
of cost of
transporta-
tion.
Proviso.

(k) Seventy-five per centum of the cost of transportation of pupils to a public school or schools; *provided*, that, subject to appeal as provided in section ten of the act to which this act is an amendment, the necessity for the transportation and the cost and method thereof shall have been approved by the county superintendent of schools of the county in which the district paying the cost of such transportation is situate.

Teachers in
manual train-
ing schools
not included.

In making such apportionment teachers employed in a manual training school or department in a district receiving an appropriation from the State for such manual training school or department and who shall have devoted at least one-half of the time the schools in said district shall have been kept open to school work other than manual training, shall be regarded as temporary teachers only, but no apportionment shall be made for teachers who shall have devoted their entire time to teaching in such manual training school or department.

II. He shall apportion to the several school districts of the county the remainder of said moneys on the basis of the total days' attendance of all pupils enrolled in the public schools thereof as ascertained from the last published report of the Commissioner of Education. For the purpose of such apportionment an attendance upon an evening school shall be counted as one-half day's attendance. If a school in any district shall, on account of contagious disease, destruction of the school-house by fire or otherwise, or for other good reason, be closed, for the purpose of this apportionment, such school shall be deemed to have been in session, and the total days' attendance upon such school for the time it shall have been closed as aforesaid shall be determined by dividing the actual total days' attendance of the pupils enrolled in such school by the number of days such school shall have been actually in session, and multiplying the quotient thus obtained by the number of school days such school shall have been closed.

Apportion-
ment on
attendance.

This amends section 205, page 98.

185. The person designated by law as the custodian of the moneys belonging to the municipality in which the school district shall be situate, or the collector, when designated by such board of education, shall be the custodian of the school moneys of such district, and shall receive such compensation as the board of education of such municipality shall determine which compensation shall be paid by said board of education from the funds of said board and the bonds given by said collector or other person for the faithful performance of his duty as such officer, shall be held to cover and secure the faithful performance of his duty as custodian of school moneys, and the bondsmen thereon shall be liable therefor; in case the term of office of any such collector or other person shall expire before the close of the school year, he shall remain and continue to be the custodian

Custodian of
school
moneys.
P. L. 1912,
Chap. 285.

Bonds of
custodian.

of school moneys until the close of the then current school year, and his bondsmen shall remain and be legally bound for the faithful performance of his duties as such custodian until the final settlement of his accounts; nothing in this article shall be construed as giving to the township committee, common council or other governing body of any municipality any control over moneys belonging to the school district in the hands of the custodian of the school moneys of said district, but said moneys shall be held by such custodian in trust, and shall be paid out by him only on orders legally issued and signed by the president and district clerk or secretary of the board of education; any ordinance, by-law or resolution of a township committee, common council or other governing body of any municipality attempting to control such moneys, or which shall in any way prevent the custodian of the school moneys of the school district from paying the orders of the board of education as and when they shall be presented for payment shall be absolutely void and of no effect; whenever any school district shall contain more than one municipality the board of education may appoint a suitable person as custodian of school moneys of said district, and may fix his salary and term of office. Such custodian shall, when requested to do so at any time by the board, render to said board a true and full account of all moneys in his possession, as such custodian up to such time, and of all payments made by him out of said moneys and for what purpose, and shall also, when required by resolution of said board, deposit in any bank or banking institution designated by said board, all moneys then in his hands or thereafter collected or received by him as such custodian; he shall give bonds for the faithful discharge of his duties in such amount and with such sureties as said board shall direct, but such bonds shall be for a sum not less than the amount apportioned to said district by the county superintendent of schools; until the appointment of a cus-

Appointment
of custodian
by board of
education in
certain cases.

Report of
custodian to
board of
education.

todian of school moneys by the board of education, the collector or other person residing in the municipality situate in such school district having the largest amount of taxable property shall be custodian of the school moneys of such district.

This amends section 208, page 103.

1. For the purpose of encouraging the planting of shade and forest trees, the second Friday of April in each year is hereby designated as a day for the general observance of such purpose, and to be known as Arbor Day.

Arbor Day.
P. L. 1912,
Chap. 120.

This amends section 262, page 133.

1. In every case of conviction under the provisions of the act to which this is a supplement, when a fine is imposed, it shall be lawful for the defendant to pay the said fine, together with the costs, to the justice of the peace, police justice or city or town recorder acting as such, before whom such conviction is had; and that such justice of the peace, police justice or city or town recorder acting as such, shall receive the same; and within ten days thereafter, pay the said fine to the custodian of school moneys of the school district, where such offense was committed, for the use of the public schools thereof.

Fines to be
paid magis-
trate.
P. L. 1912,
Chap. 209.

2. The following fees shall be allowed for services under the provisions of this act, which shall be in full of all other fees and charges whatsoever:

Magistrate to
deposit fines
with cus-
todian of
school moneys.

To the justice of the peace, police justice or city or town recorder acting as such— Fees.

Drawing complaint, ...	\$0.50
Issuing warrant, ...	0.50
Hearing or trial, ...	0.50
Conviction, ...	0.50
To officer for serving process, ...	
Serving warrant, ...	0.75
and mileage at the rate of four cents per mile.	

Serving every subpoena, ...	0.25
Serving commitment, ...	0.50

Board of
education may
insure school
property in
city insurance
fund.
P. L. 1912,
Chap. 253.

1. Where in any city of this State a municipal insurance fund shall have been or may hereafter be established and insurance fund commissioners appointed, the board of education of the city school district of such city, in its discretion, may, by resolution, provide that from and after the adoption of such resolution the school buildings and school property of such school district shall be insured in the municipal insurance fund of the city.

Rates of
insurance.

2. The insurance fund commissioners of such city shall have power to fix reasonable rates of premium for all insurance carried on school buildings and school property of the school district by such fund, and the board of education shall forthwith pay to the insurance fund commissioners of the city such premium for any insurance carried by such municipal insurance fund on school buildings and school property of such city school district. Whenever, in the discretion of the insurance fund commissioners of such city, they may deem it expedient, they may place insurance on school buildings and school property insured in the municipal insurance fund with insurance companies authorized to do business in this State, and the premiums for such insurance in excess of the rates of premium thereon fixed by the commissioners shall forthwith be paid to the commissioners by the board of education of the district. The policies of insurance shall provide that the loss shall be payable to the board of education of the school district.

Investment
of premiums.

3. All moneys received by the commissioners for premiums on school buildings and school property insured in the municipal insurance fund of the city, except so much as may be necessary to pay premiums upon insurance placed upon any of such school buildings and school property with insurance companies as provided in sec-

tion two of this act, shall be invested by the commissioners with the moneys of the municipal insurance fund and in the manner provided for the investment of such moneys.

4. In case the school buildings and other school property of the district of any city shall be insured in the municipal insurance fund of such city, as hereinbefore provided, the common council of such city, or other board or body having control of the finances of such city may, from time to time, if in its judgment advisable, appropriate additional sums of money to the municipal insurance fund of the city from moneys under its control not otherwise appropriated, or by raising such sums in the tax levy for the years in which they are severally appropriated.

Appropriations for municipal insurance fund.

5. Each school building and the contents thereof shall be insured in the municipal insurance fund separately and for definite and determined sums respectively, except where the commissioners shall have insured the same in an insurance company as provided in section two of this act. In case of loss incurred by fire on any building or contents, not insured in an insurance company, if the loss be total, the commissioners shall pay, within sixty days, the whole sum from the municipal insurance fund to the board of education of the district; if the loss be partial and not total, the sum to be paid shall be fixed and adjusted by a commission of adjustment, consisting of a commissioner of the municipal insurance fund, the president of the board of education of the school district and the chairman of the finance committee of the common council or the president of the board or body of such city having control of the finances.

Method of insuring school buildings.

1. Whenever any blind person, who is a citizen of this State, desires to attend any college, university, technical school or professional school, authorized by law to grant degrees, other than an institution established for

Admission of blind persons to institutions for higher education.
P. L. 1912.
Chap. 336.

the regular instruction of the blind, shall make application for such purpose to the Commissioner of Education, and be designated by him as a fit person to be received and accepted as a student in any of such institutions, such applicant shall thereupon be entitled to have the aid and assistance hereinafter provided for; *provided*, that such blind person shall also prove to the satisfaction of said commissioner that he is financially unable to defray the expense, or any part thereof, hereinafter specified.

Proviso.

Appropriation to assist students.

2. There shall be paid by the State for the use of such student a sum not to exceed two hundred dollars (\$200.00) per annum, with which to defray the fee charged by any such institution, and also the further sum of three hundred dollars (\$300.00) per annum with which to employ a person or persons to read to such student from text books and pamphlets which shall be necessary for such student to use in connection with the pursuit of his or her studies in the college, university or school where he or she shall be matriculated.

Institution to be in this State.

3. It shall be necessary in every case for any such student to receive his or her tuition from a college, university, technical school, or professional school, established and located within the State of New Jersey.

Payments.

4. Any moneys to be paid under the authority of this act shall be paid quarterly, after the beginning of the school year of any college, university, technical or other school, where any blind student shall be matriculated, by the Treasurer of the State, on the warrant of the Comptroller to the treasurer of any such college, university, technical or other school, upon his presenting an account showing the actual number of blind students matriculated and attending the institution of which he is treasurer, which account shall be verified by the president of any such institution.

Reports.

5. It shall be necessary for every college, university, technical or other school in which any blind student is matriculated to furnish to the Commissioner of

Education a quarterly report showing the progress or status of every such blind student matriculated in such college, university, technical or other school, and in the event that any of said reports shall disclose the fact that any student is unable to keep up with his or her studies and acquire the education provided for by any such college, university, technical or other school, or that any of such students are not taking advantage of the opportunities provided for him or her by the terms of this act, then in each such case, if it shall be the judgment of the Commissioner of Education that the aid and assistance offered and provided by this act shall be denied and withdrawn from any such student, then the same, on the recommendation and certificate of said Commissioner of Education, shall be withdrawn from any such student and the college, university, technical or other school in which any such student is entered or matriculated shall be notified by the State Comptroller of every such action.

1. No school or institution of learning conducted within this State shall hereafter confer any degree or degrees until the terms and conditions of such degree or degrees shall first be submitted to and approved of by the State Board of Education of the State of New Jersey; *provided*, that nothing in this section contained shall apply to any school or institution of learning which shall have been established and conducted within this State for a period of twenty-five years prior to the passage of this act.

School or institution of learning to confer degrees only on terms approved by State Board of Education.
P. L. 1912.
Chap. 315.

2. Any person or corporation violating any of the provisions of this act shall be liable to a penalty of five hundred dollars for each offence, to be recovered in an action of debt by the State Board of Education of the State of New Jersey, such penalty when recovered to be paid into the treasury of this State.

Penalty.

Public schools
exempt.

3. Nothing in this act contained shall apply to any school or schools conducted under the public school system of this State.

Board of
Education
in city may
transfer land
to city in
certain cases
for park
purposes.
P. L. 1912,
Chap. 305.

1. Whenever the board of education in any city of this State has acquired lands for the purpose of erecting a school building thereon, and shall determine that such lands are undesirable or unnecessary for such purpose, it shall be lawful for such board of education to transfer and convey such lands to such city, without any consideration being paid therefor, for use by such city as a public park or playground, and such lands, when so transferred and conveyed, shall thereafter be in the charge and under the control of the board or body having charge and control of the public parks of such city and may be improved by such board or body.

Land, how
transferred.

2. No transfer or conveyance of lands shall be made until the board of education shall have adopted a resolution declaring the lands no longer desirable or necessary for the purpose of erecting a school building thereon and authorizing the conveyance thereof to the city, by deed executed in the name and under the seal of the board of education, by the president and secretary thereof, and until the board or body having charge of the finances of the city shall have adopted a resolution, approved by the mayor thereof, requesting or approving the conveyance of such lands to such city.

Additional
Normal
School.

1. There shall be established and maintained an additional State Normal School for the purpose of training and educating persons in the science of education and art of teaching; the name and title of said school shall be "The New Jersey State Normal School at (here insert the name of the place where said school shall be located)"; tuition in said school shall be free.

Controlled by
State Board
of Education.

2. The State Board of Education shall have control and care of said school in the same manner and to the

same extent as said board has control and care of "The New Jersey State Normal Schools."

3. The State Board of Education shall purchase a suitably located site in one of the counties of the first class not having a normal training school and shall erect thereon a building or buildings for the use of said normal school.

Site to be in first class counties.

4. The erection and furnishing of said building or buildings shall be done by contract or otherwise, as the said board shall deem for the best interests of the State; said board may employ architects, superintendents and mechanics, advertise for proposals, make a contract or contracts for the whole or any part of said work, and incur all necessary expenses to carry out the provisions of this act.

Building to be erected by contract.

5. For the purchase of said site, and the erection and furnishing of said building or buildings, the sum of three hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated; said sum shall be paid by the State Treasurer on the warrant of the Comptroller of the Treasury, upon the requisitions of the State Board of Education, in such sums as said board may need from time to time for the prosecution of the work herein provided for; *provided*, that no expense shall be incurred or moneys expended as authorized by this act, nor shall said appropriation become available, until an appropriation therefor shall have been made by the Legislature in the annual appropriation act.

Appropriation.

6. The said board shall make to the Legislature at its next session, and at each succeeding session, until said building or buildings shall be completed, a full and detailed report of its proceedings and expenditures under this act.

Proviso.

Report.

1. All appointments of members of boards of education made under the provisions of an act entitled "An act to amend an act entitled 'An act to establish a thor-

Appointment of members of boards of education under Chap. 233, P. L. 1911, validated. P. L. 1912, Chap. 272.

ough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved April twenty-seventh, one thousand nine hundred and eleven, are hereby validated and confirmed.

